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Pennsylvania (Colony) Provincial Council

MINUTES

OF THE

PROVINCIAL COUNCIL

OF

PENNSYLVANIA,

FROM THE ORGANIZATION TO THE TERMINATION OF THE
PROPRIETARY GOVERNMENT.

PUBLISHED BY THE STATE.

VOL. I.

CONTAINING THE PROCEEDINGS OF COUNCIL FROM MARCH 10th,
1683, TO NOVEMBER 27th, 1700

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No. I.

MEMORIAL

OF THE

American Philosophical Society, and of the Historical Society of Philadelphia.

RECOMMENDING THE PUBLICATION OF CERTAIN ANCIENT RECORDS.

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania.

The memorial of the American Philosophical Society held at Philadelphia, for promoting useful knowledge, and of the Historical Society of Pennsylvania, by their committees for this purpose, specially appointed, most respectfully sheweth:

That it is the misfortune of the Nations of the old Continent, that their early history is lost in the night of time. Excepting the Holy Scriptures, no records have been preserved of the first settlements of mankind. All else beyond a period not very remote is veiled in obscurity. Recourse has been had to fabulous traditions made up of fabled Hero's and Demi-gods in abundance, the offsprings of vanity and of ignorance. Of our British ancestors, nothing is known before the invasion of their island by Julius Cæsar. of our German forefathers, the noble defence made by the immortal Herman against the legions of Varus, whom he defeated and conquered, is the first authentic account, after which follows a long period of darkness to the time of their great emperor Charlemagne. The ancient history of Asia, (the cradle of mankind) engages at this moment the attention of the learned of Europe. For that purpose, Asiatic societies have been formed under royal patronage, both in England and in France. The study of Egyptian antiquities is every where patronized, encouraged and promoted. Scientific travellers are sent to that country at royal expense, obelisks and other monuments are imported at an immense cost, and grace the public squares, the museums, and other repositories of the great capitals. England boasts of the rosetta monumental stone. France of her Egytian obelisk, which once adorned ancient Thebes, and is now erected in the midst of her capital, where it is the most attractive object to the admiration of travellers. Unble to penetrate into the future, man loves to inquire into the past, to interrogate his most remote ancestors, and to learn from their experience how to pursue good and eschew evil. He is disappointed and mortified, when instead of historical facts, he finds fabulous records and incredible tales, more calculated for the amusement of children than the instruction of mankind.

It is the good fortune of the people of these United States, that their early history is not involved in obscurity and doubt. Although of recent origin, it already engages the attention of the learned in this country and elsewhere. Historical and antiquarian societies are established in almost every state in the Union, and their labours are eagerly sought after and read by our citizens with patriotic pleasure, and by foreigners with ardent curiosity.

The history of Pennsylvania deserves and obtains a particular attention. She alone can boast of a founder, whose name will go down to posterity, with those of the most celebrated Legislators. Her citizens are descended from two illustrious nations, alike renowned for science, and for the glory acquired by arms. The mixture of German and of British blood, has implanted in our commonwealth those solid virtues which lead nations to prosperity; and the warmth of the Irish heart, has not contributed a little to the character which she has acquired for generous hospitality. In every respect, her history is full of interest and will become so more and more. It is therefore of the highest importance, that the authentic records from which that history is to be deduced should not be lost to posterity. The facts posterior to our revolution are in no danger of being so lost, the press since that time has been active in perpetuating them, in the shape of journals, newspapers and printed records of every description. But it is not so with the materials of our colonial history. In single manuscript copies, they are deposited in the office of the Secretary of State, where fire or some other accident may in a moment destroy them so that those interesting memorials, unless effectual measures are taken to preserve them, will be lost to us and to our posterity forever.

Among these documents the most important is undoubtedly the minutes of the Provincial Council from the organization of the Colonial government under William Penn, down to the revolution. This invaluable record was fortunately preserved amidst the horrors of war and the troubles attending our revolution. If it should be lost a link will be wanting in the chain of events which constitute the history of our state. Your honors well know that the council were not only possessed of the executive power, but were also a branch of the legislature, as they had a negative upon all the laws proposed by the assembly. If the records of their proceedings should by some accident be lost, many important parts of our colonial history will be left in obscurity, and false notions will at length be established in their stead by the ingenuity or perhaps design of future chroniclers.

More than eighty years ago, in the year 1752, when Pennsylvania was yet a poor infant colony, and her means and resources were not in the least degree to be compared to those of this rich and powerful state, a patriotic legislature caused to be printed at their expense, the votes and proceedings of their predecessors from the time of the landing of the founder, and his first assembly held at Chester in 1682, and the work was continued in six large folio volumes, down to the time of our revolution. The cost of this publication must have been to them and to the people whom they represented, comparatively immense, while on the contrary, your memorialists have reason to believe that that of publishing the minutes of council will be but trifling, particularly if we consider it in comparison with their importance. They hope that your honors will not show themselves in this respect, less patriotic than their noble and virtuous predecessors.

Next to the minutes of Council. your memorialists consider the treaties made with the Indians under the colonial government, to be the most important. They will be of the utmost interest to our descendants, and it will be highly honorable to this great state, to show to the world that in all the relations of Pennsylvania with the Indian tribes, no recourse has been had to war or to the shedding of human blood, except when we were obliged to combat them as the allies of another nation, who employed them for the purpose of subduing our country.

What other public ante-revolutionary documents there are in the Secretary's office that may be thought worthy of publication, your memorialists do not know; but they would humbly suggest the propriety of having a correct list of them made and published for future consideration; and also, that those who are engaged in the study of the history of our country, may know what materials exist in the possession of the government, which may be consulted by them in the prosecution of their labours.

Your memorialists therefore respectfully pray that your Honors will be pleased to take the above suggestions into their serious consideration, and adopt such measures as their wisdom shall dictate in favor of the objects of this memorial.

And they shall ever pray, &c.

For the American Philosophical Society, held at Philadelphia, for promoting useful knowledge.

PETER S. DU PONCEAU, } *Committee.*
J. FRANCIS FISHER. }

For the Historical Society of Pennsylvania,

PETER S. DU PONCEAU, } *Committee.*
JOB R. TYSON, }

Philadelphia, December 8th, 1836.

No. II.

REPORT

OF THE COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

J. Washington Tyson, *Chairman.*

The Committee to whom was referred the joint memorial of the American Philosophical Society, held at Philadelphia, for promoting useful knowledge and of the Historical Society of Pennsylvania, recommending the publication of certain public records, report:

That they have examined the subject with that attention which its importance and the character of the memorialists demand. These two societies whose memorial is before the committee include a large portion of the intellect, literature and science of Philadelphia. One of them, the Historical society of Pennsylvania, has for its objects, the collection and preservation of the materials of our domestic history. All know how much it has already contributed to these purposes and to the correction of historical errors. Its published memoirs, attest the intelligence, industry and public spirit of its members. About twenty years ago, the Philosophical Society, added to its standing committees, a committee of history. Since that period, it has embraced within the wide circle of its investigations, every thing connected with our state and federal annals. The volume published by the committe, comprising a learned correspondence between Du Ponceau, and Heckewelder, and an excellent account of the Moravian indians, by the latter, as well as the collections which, it is understood, have since been made, constitute some of the Historical claims of the society. As chairman of each of the two committees who drafted the memorial before us, it is gratifying to find the name of the distinguished and venerable Du Ponceau, himself—a name of which the state, nay, the whole country, has so much reason to be proud for his great talents, deep erudition and fervent patriotism.—The memorial is therefore commended to the respectful consideration of this body, by the character of the memorialists who speak in it upon their own subject, upon one with which they may be presumed to be intimately acquainted; and upon one of high and commanding importance to the state.

In regard to the prayer of the memorialists, your committee cannot but heartily concur in the opinion, that it is important to preserve from eventual destruction and all detriment, the records of this commonwealth while under a colonial government, and that the safest means of effecting such preservation, is to cause them to be published and widely distributed through the state. These valuable records, are at present in a state of great insecurity, and liable to many accidents, any one of which may occasion their loss and total destruction. To guard against such events, is therefore of the highest importance.

The history of a country, is all in the acts of its government. The public records are the only safe materials on which the historian can rely. Before the invention of printing, those documents could with difficulty be preserved; they were liable to be, and immense numbers of them were in fact destroyed by fire, by foreign and civil wars by the perishable quality of their materials, and by the carelessness of those in whose custody they were placed. After the art of printing became known, the jealousy of government, prevented for a long period the publication of most important records, and the proprietary government of Pennsylvania, participated in that feeling, so that the proceedings of the colonial councils, were in a great measure considered as state secrets, and accessible but to few. Before the revolution, their publication could not have been permitted.

In the infancy of the Colony, when printing presses were few, and the expense of printing too great to be borne by our small and dispersed population, even the daily proceedings of the legislative body remained in manuscript for the space of seventy years. It was not until the year 1752, that the legislature determined on publishing their journals; beginning with those of the first assembly, which met at Upland, now Chester, Delaware county, in the year 1682. It was a bold and an expensive project for that time, it was nevertheless undertaken; the old journals were printed, and the publication continued until the period of the revolution. The whole, consisting of seven large folio volumes, is in our library at this place, and in many of the public and private libraries throughout the state, a monument of the zeal and patriotism of our ancestors.

Since the revolution, all important public documents, have been regularly published under the authority of the legislature, and the copies have been multiplied through a great number of newspapers, so that the facts which are to be the materials of our future history, are beyond the reach of any accident, above contingency, and secure from the danger of being lost to posterity.

But those of the preceding period, are still exposed to the dangers of decay, removal, mutilation and destruction. If they should happen to be lost, through the neglect of the present generation, a stigma will rest upon us, which no lapse of time can efface. The nations of Europe are at this moment strongly impressed with the necessity of preserving their ancient records, by means of the press. The government of Great Britain have, at an immense expense, commenced the publication of theirs, beginning with Dooms-day book, a record of the time of William the Conquerer, and thence proceeding through the series of past ages. Thirty two volumes of this collection have already been published; sixteen of which are large thick folios, and no cost has been spared to ensure the accuracy of the text, and the beauty of the impression. With a commendable liberality, they have distributed numerous sets of this valuable collection, in America and Europe, in donations to public libraries, and learned societies, and amongst others, the American Philosophical Society, and the Library company of Philadelphia, have shared in that bounty. The latter institution has received the whole collection; and the former only part of it, the remainder in England having been accidentally consumed by fire, so that it is to be begun anew. Other nations are following that example aided by Antiquarian societies, which are established in almost every large city of Europe.

The general government of the United States have not been behind hand, in adopting this mode of preserving the ancient records of our Union. They have re-published the journals of Congress under the confederation, and many other important documents; and they have permitted individuals to have access to their records, and to take copies of such papers, as, being of interest, may afford a profit to the editor who devotes his time and his labor to their publication.

Some of the individual states, and the state of Maryland in particular, have lately taken similar measures for discovering and publishing important documents, in which process they have found that a great number are irrecoverably lost. To avoid a like misfortune, your committee think it their duty to recommend the publication of the colonial records of Pennsylvania, which are in the custody of the Secretary of the Commonwealth. Of the importance and necessity of multiplying the copies of those valuable and curious papers, we are impressively admonished by the late fire at Washington—documents of inestimable price, both in a pecuniary and historical point of view, were, no doubt, by that event, entirely destroyed. The absence of duplicates by means of the press, renders the loss altogether irreparable.

The memorialists have very properly pointed out the minutes of the proprietary councils as those that deserve to be first attended to.—Your committee, therefore recommend, that they be immediately printed, under the direction of the Secretary of the Commonwealth. The publication of other documents may be postponed until it shall be known of what they principally consist.

The memorialists have mentioned the Indian treaties as next in importance. What are called "Indian treaties" are conferences between Indian chiefs deputed by their respective tribes, and the governors of the colony of Pennsylvania, in which their mutual interests are discussed and settled. Several of those are contained in the minutes of council, and need not be printed twice. Under the name of "Indian treaties" are also designated the deeds and conveyances of lands made by Indian chiefs or land owners, to the proprietors. Of these, the late Judge Smith has given a full abstract in the second volume of his edition of the laws of Pennsylvania. It will nevertheless be desirable that they should be published at large, as many titles to lands are derived from them, and they are moreover interesting in an historical point of view. But as the minutes of council are most important among our ancient records, your committee would recommend their publication in the first instance.

Your committee have not had time to inspect the public documents in the Secretary's office with that care which they desired to bestow upon them, and which would have enabled them to give to the House a clear view of their contents.

It is their opinion that the Secretary should be directed to prepare a report on their contents, to be laid before the legislature at their next session, by means of which they will be best able to determine which of them deserve to be published, and to act thereon as their wisdom shall direct.

In accordance with these views, the committee beg leave to report the accompanying bill.

No. III.

Extract from the Act of April 4th, 1837, *authorizing the printing of the Minutes of the Provincial Council.*

Section 2. That the Minutes of the Council of the Proprietary Government, from the year one thousand six hundred and eighty, one, to one thousand seven hundred and seventeen, inclusive, which are deposited in the office of the Secretary of this Commonwealth, with a suitable index, and such introductory matter as may be deemed proper, be immediately printed, in the octavo form, under the direction of the said Secretary, to the number of one thousand copies: *Provided*, That the cost does not exceed three thousand dollars.

Section 3. That two hundred copies of the said Minutes, when printed, shall be placed in the hands of the Governor, to be by him distributed among learned societies and public libraries, in other states of this Union, at his discretion; that twenty copies shall be presented to the director of the Philadelphia Athenæum, twenty copies to the Historical society, to be by them deposited as they may think best for their preservation and safe keeping; one copy to each of the several Colleges within the Commonwealth, five copies to the Franklin library in the city of Philadelphia, and one copy deposited in each of the several Record offices in the Commonwealth, and one copy placed in the hands of the members of the present Legislature, five copies in the State library, and one copy in each of the public libraries of the state, five copies to the Historical society.

Section 4. That the Secretary of this Commonwealth shall prepare and report to the legislature at their next session a list of the Colonial documents deposited in his office, with his opinion as to those that are worthy of preservation by means of the press, and the probable expense of publishing the same.

Section 5. That the said Secretary of the Commonwealth shall cause the original charter of Pennsylvania, now in his office, to be framed, covered with glass, and placed in said office for the inspection of visitors, and that the expense thereof be paid out of any funds in the Treasury, not otherwise appropriated.

LEWIS DEWART.
Speaker of the House of Representatives.
J. R. BURDEN,
Speaker of the Senate.

Approved—The fourth day of April, A. D., eighteen hundred and thirty-seven.

JOS. RITNER.

No. IV.

Extract from the Act of April 14th, 1838, *relative to the printing and distribution of the Colonial Records.*

SECTION 7. That the Secretary of the Commonwealth be, and he is hereby authorized and required, to continue the printing of the Minutes of the Council of the Proprietary Government, down to the period of the Revolution, on the plan by him proposed in his report to the Legislature of the thirtieth of January last, and to include the other public records and documents therein mentioned, to be added as appendixes to each volume, to the number of fifteen hundred copies.

SECTION 8. That the Secretary be, and he is hereby authorized to purchase of the printer, for the use of the state, the five hundred copies of the first volume which he has printed over and above the one thousand copies directed by the act entitled "A supplement to the act entitled, an act to authorize the printing and distribution of the pamphlet laws in the German language, and for other purposes," passed Anno Domini, one thousand eight hundred and thirty-seven.

SECTION 9. That one thousand out of the fifteen hundred copies of the work directed to be printed and purchased, be disposed of by a subscription, to be opened at the several County Treasuries of the Commonwealth, at the price of one dollar and sixty cents per volume, the proceeds whereof shall be applied to the continuation of the work, and to the binding of the volumes.

SECTION 10. That one thousand one hundred and forty-six dollars and twenty-five cents be, and the same is hereby appropriated for purchasing the additional five hundred copies and carrying on the work, in addition to the appropriation of last year, until the proceeds of the subscription shall come into the Treasury.

SECTION 11. That the Secretary be, and he is hereby authorized to employ a clerk to aid him in the prosecution of the work, at a salary of eight hundred dollars per annum, to be charged on the Treasury, and to be paid to him from the time that he has begun to be so employed.

SECTION 12. That two hundred copies of said Minutes, when printed and bound, shall be placed in the hands of the Governor, to be by him distributed among learned societies and public libraries, in other states of this Union, at his discretion; that five copies shall be presented to the American Philosophical society, five to the Historical society, five to the Philadephla library, two to the Philadelphia Athæneum, one copy to each of the several Colleges and public Libraries in the state, one to each of the members and clerks of the present and last legislature, and that five copies shall be deposited in the State Library, and one copy in each of the Record offices of the Commonwealth.

SECTION 13. That the third section of the supplement to the act entitled "An act to authorize the printing and distribution of the pamphlet laws in the German language, passed January twenty-third A. D., one thousand eight hundred and thirty-seven, and for other purposes," be and the same is hereby repealed.

No. V.

CHARTER
OF THE
PROVNICE OF PENNSYLVANIA.

CHARLES THE SECOND, BY THE GRACE OF GOD King of England, Scotland, France and Ireland, defender of the faith, &c., To all to whome these presents shall come GREETING. Whereas our Trustie and well beloved Subject, William Penn, Esquire, sonn and heire of Sir William Penn, deceased, out of a commendable desire to enlarge our English Empire, and promote such usefull comodities as may bee of benefitt to us and our Dominions, as alsoe to reduce the Savage Natives by gentle and just manners to the love of civill Societie and Christian Religion hath humbley besought leave of vs to transport an ample colonie vnto a certaine Countrey hereinafter described in the partes of America not yet cultevated and planted. And hath likewise humbley besought our Royall majestie to give grant, and confirme all the said countrey with certaine priviledges and Jurisdiccons requisite for the good Government and saftie of the said Countrey and Colonie, to him and his heires forever. KNOW YEE, therefore, that wee, favouring the petition and good purpose of the said William Penn, and haveing regard to the memorie and meritts of his late father, in divers services, and perticulerly to his conduct, courage and discretion vnder our dearest brother, James Duke of Yorke, in that signall battell and victorie, fought and obteyned against the Dutch fleete, comanded by the Heer Van Opdam, in the yeare One thousand six hundred sixtie five, in consideration thereof of our special grace, certaine knowledge and meere motion, Have given and granted, and by this our present Charter, for vs, our heires and successors, Doe give and grant unto the said William Penn, his heires and assignes all that tract or parte of land in America, with all the Islands therein conteyned, as the same is bounded on the East by Delaware River, from twelve miles distance, Northwarde of New Castle Towne unto the three and fortieth degree of Northern latitude if the said River doeth extend soe farre Northwards; But if the said River shall not extend soe farre Northward, then by the said River soe farr as it doth extend, and from the head of the said River the Easterne bounds are to bee determined by a meridian line, to bee drawn from the head of the said River vnto the said three and fortieth degree, the said lands to extend Westwards, five degrees in longitude, to bee computed from the said Easterne Bounds, and the said lands to bee bounded on the North, by the beginning of the three and fortieth degree of Northern latitude, and on the south, by a circle drawne at twelve miles, distance from New Castle Northwards, and Westwards vnto the begining of the fortieth degree of Northerne Latitude; and then by a streight line Westwards, to the limitt of Longitude above menconed. WEE DOE alsoe give and grant vnto the said William Penn, his heires and assignes, the free and vndisturbed vse, and continuance in and passage into and out of all and singular Ports, harbours, Bayes, waters, rivers, Isles and Inletts, belonging vnto or leading to and from the Countrey, or Islands aforesaid; and all the soyle, lands, fields, woods, vnderwoods, mountaines, hills, fenns, Isles, Lakes, Rivers, waters, rivuletts, Bays and Inletts, scituate or being within or belonging vnto the Limitts and Bounds aforesaid togeather with the fishing of all sortes of fish, whales, sturgeons, and all Royall and other fishes in the sea, bayes, Inletts, waters or Rivers, within the premises, and the fish therein taken, and alsoe all veines, mines and quarries, as well discovered as not discovered, of Gold, Silver, Gemms and pretious Stones, and all other whatsoever, stones, metalls, or of any other thing or matter whatsoever, found or to bee found within the Countrey, Isles, or Limitts aforesaid; and him the said William Penn, his heires and assignes, WEE DOE, by this our Royall Charter, for vs, our heires and successors, make, create and constitute the true and absolute proprietaries of the Countrey aforesaid, and of all other, the premises, saving alwayes to vs, our heires and successors, the faith and allegiance of the said William Penn, his heires and assignes, and of all other, the proprietaries tenants and Inhabitants that are, or shall be within the Territories and precincts aforesaid; and saving alsoe vnto vs, our heires and Successors, the Sovreignity of the aforesaid Countrey, TO HAVE, hold and possesse and enioy the said tract of Land, Countrey, Isles, Inletts and other the premises, vnto the said William Penn, his heires and assignes, to the only proper vse and behoofe of the said William Penn, his heirs and assignes forever. To bee holden of vs, our heires and Successors, Kings of England, as of our Castle of Windsor, in our County of Berks, in free and comon socage by fealty only for all services, and not in Capite or by Knights service, Yeelding and paying therefor to us, our heires and Successors, two Beaver Skins to bee delivered att our said Castle of Windsor, on the first day of January, in every yeare; and also the fifth parte of all Gold and silver Oare, which shall from time to time happen to bee found within the Limitts aforesaid, cleare of all charges, and of our further grace certaine knowledge and meere mocon, wee have thought fitt to Erect, and wee doe hereby Erect the aforesaid Countrey and Islands, into a province and Seigniorie, and doe call itt Pensilvania, and soe from henceforth wee will have itt called, and forasmuch as wee have hereby made, and ordeyned the aforesaid William Penn, his heires and assignes, the true and absolute Proprietaries of all the Lands and Dominions aforesaid. KNOW YEE therefore, that wee reposing special trust and confidence in the fidelitie, wisedome, Justice and provident circumspeccon of the said William Penn, for vs, our heires and successors, Doe grant free, full and absolute power, by vertue of these presents to him and his heirs, and to his and their Deputies, and Lieutenants, for the good and happy government of the said Countrey, to ordeyne, make, enact and vnder his and their Seales to publish any Lawes whatsoever, for the raising of money for the publick vse of the said province, or for any other end apperteyning either vnto the publick state peace, or safety of the said Countrey, or vnto the private vtility of perticular persons, according vnto their best discretions, by and with the advice, assent and approbacon of the freemen of the said Countrey, or the greater parte of them, or of their Delegates or Deputies, whom for the Enacting of the said Lawes, when, and as often as need shall require. WEE WILL, that the said William Penn, and his heires shall assemble in such sort and forme as to him and them shall seeme best, and the same lawes duely to execute vnto, and upon all people within the said Countrey and limitts thereof; and WEE doe likewise give and grant unto the said William Penn, and his heires, and to his and their Deputies and Lieutenants, such power and authoritie to appoint and establish any Judges, and Justices, magistrates and officers whatsoever, for what causes soever, for the probates of wills and for the granting of administracons within the precincts aforesaid, and with what power soever, and in such forme as to the said William Penn, or his heires, shall seeme most convenient. Alsoe to remitt, release, pardon and abolish, whether before Judgement or after, all crimes and offences, whatsoever comitted within the said Countrey, against the said Lawes, treason and wilfull and malitious murder onely excepted; and in those cases, to grant reprieves untill our pleasure may bee knowne therein, and to doe all and every other thing and things which vnto the compleate establishment of Justice vnto Courts and Tribunalls, formes of Judicature and manner of proceedings doe belong, altho' in these presents expresse mencon bee not made thereof; and by Judges by them delegated to award processe, hold pleas and determine in all the said Courts and Tribunalls, all accons, suits and causes whatsoever, as well criminall as civill, personall, reall and mixt, which Lawes soe as aforesaid, to bee published. Our pleasure is, and soe Wee enioyne require and comand shall bee most absolute and avaylable in law, and that all the Liege people and Subjects of vs, our heires and successors, doe observe and keepe the same inviolable in those partes, soe farr as they concerne them, vnder the paine therein expressed, or to bee expressed. Provided; Nevertheles, that the said Lawes bee consonant to reason, and bee not repugnant or contrarie, but as neere as conveniently may bee agreeable to the Lawes, statutes and rights of this our Kingdome of England, and saveing and reserving to vs, our heires and successors, the receiving, heareing and determining of the appeale and appeales, of all or any person or persons, of, in or belonging to the territories aforesaid, or touching any Judgement to bee there made or given.—And forasmuch as in the Government of soe great a Countrey, sudden accidents doe often happen, whereunto itt will bee necessarie to apply a remedie before the freeholders of the said Province, or their Delegates or Deputies can bee assembled to the makeing of Lawes, neither will itt be convenient that instantly vpon every such emergent occasion, soe greate a multitude should be called together. Therefore, for the better Government of the said Countrey, WEE WILL, and ordeyne, and by these presents for vs, our heires and successors, Doe grant vnto the said William Penn, and his heires, by themselves or by their magistrates and officers, in that behalfe, duely to bee ordeyned as aforesaid, to make and constitute, fitt and wholesome ordinances from time to time within the said Countrey, to bee kept and observed as well for the preservacon of the peace, as for the better government of the people there inhabiting, and publickly to notifie the same, to all persons whome the same doeth or any way may concerne, which ordinances our will and pleasure is, shall be observed inviolably within the said Province, vnder paines therein to bee expressed, soe as the said ordinances bee consonant to reason and bee not repugnant nor contrary, but soe farre as conveniently may bee agreeable with the Lawes of our kingdome of England, and soe as the said ordinances be not extended in any sort to bind, charge or take away the right or interest of any person or persons, for or in their life, members, freehold, goods or Chattells; and our further will and pleasure is, that the Lawes for regulateing and governing of propertie, within the said Province, as well for the descent and enioyment of lands, as likewise for the enioyment and succession of goods and Chattells, and likewise as to felonies, shall bee and continue the same as shall bee for the time being, by the generall course of the Law in our Kingdome of England, vntill the said Lawes shall bee altered by the said William Penn, his heires or assignes, and by the freemen of the said Province, their Delegates or Deputies, or the greater part of them. And to the End the said William Penn, or heires, or other, the Planters, Owners or Inhabitants of the said Province, may not att any time hereafter, by misconstrucon of the powers aforesaid, through inadvertiencie or designe, depart from that faith and due allegiance which by the Lawes of this our Realme of England, they and all our subiects, in our Dominions and Territories, always owe vnto vs, our heires and successors, by colour of any extent or largenesse of powers hereby given, or pretended to bee given, or by force or colour of any lawes hereafter to bee made in the said Province, by virtue of any such powers. Our further will and pleasure is, that a transcript or Duplicate of all lawes which shall bee soe as aforesaid. made and published within the said province, shall within five yeares after the makeing thereof, be transmitted and delivered to the privy Councell, for the time being, of vs, our heires and successors; and if any of the said Lawes within the space of six moneths, after that they shall be soe transmitted and delivered, bee declared by vs, our heires and successors. in our or their privy Councell, inconsistent with the sovereignety or lawfull prerogative of vs, our heirs or successors, or contrary to the faith and allegiance due by the legall Government of this realme, from the said William Penn, or his heires, or of the Planters and Inhabitants of the said province; and that therevpon any of the said Lawes shall bee adiuged and declared to bee void by vs, our heires or successors, vnder our or their Privy Seale, that then, and from thenceforth such Lawes concerning which such Judgement and declaracon shall bee made, shall become voyd, otherwise the said lawes soe transmitted, shall remaine and stand in full force according to the true intent and meaneing thereof. Furthermore, that

that this new Colony may the more happily increase, by the multitude of people resorting thither: THEREFORE, WEE, for vs, our heires and successors, doe give and grant by these presents, power licence and libertie vnto all the liege people and subjects, both present and future of vs, our heires and successors, excepting those who shall bee especiallyforbidden, to transport themselves and families vnto the said Countrey, with such convenient shipping, as by the lawes of this, our kingdome of England, they ought to vse with fitting provisions paying only the customes therefore due, and there to settle themselves, dwell and inhabitt and plant for the publick and their own private advantage; AND FURTHERMORE, that our subiects may bee the rather encouraged to undertake this expedicon with ready and cheerfull mindes. KNOW YEE, that wee of our especial grace certaine knowledge and meere mocon, Doe give and grant by vertue of these presents, as well vnto the said William Penn and his heires, as to all others who shall from time to time repaire vnto the said Countrey, with a purpose to inhabitt there, or to trade with the natives of the said Countrey, full license to lade and freight in any Ports whatsoever of vs, our heires and successors, according to the lawes made, or to be made within our kingdome of England, and into the said Countrey, by them, theire servants or assignes, to transport all and singular theire wares, goods and merchandizes, as likewise, all sorts of graine whatsoever, and all other things whatsoever necessary for food or cloathing, not phibited by the lawes and Statutes of our kingdomes and Dominions, to be carryed out of the said kingdomes without any lett or molestacon of vs, our heires and successors, or of any the officers of vs, our heires and successors, saveing alwayes to vs, our heires and successors, the legall impossitions, customes and other duties and payments for the said wares and merchandize, by any law or statute due or to be due to vs, our heires and successors. AND WEE DOE further for vs, our heires and Successors, give and grant vnto the said William Penn, his heires and assignes, free and absolute power to Divide the said Countrey, and Islands, into Townes, Hundreds and Counties, and to erect and incorporate Townes into Borroughs, and Borroughs into Citties, and to make and constitute ffaires and marketts therein, with all other convenient privileges and imunities according to the meritt of the inhabitants, and the fittnes of the places; & to doe all and every other thing and things touching the premises which to him or them shall seeme requisite, and meet, albeit they be such as of their owne nature might otherwise require a more especiall comandment and warrant, then in these presents is expressed. WEE WILL ALSOE, and by these presents for vs, our heires and successors, WEE doe give and grant licence by this our charter, vnto the said William Penn, his heires and assignes, and to all inhabitants and dwellers in pvince aforesaid, both present, and to come to import or vnlade by themselves or their Servants, ffactors or assignes, all merchandizes and goods whatsoever, that shall arise of the fruites and comodities of the said province, either by Land or Sea, into any of the Ports of vs, our heires and successors, in our kingdome of England, and not into any other countrey whatsoever. And WEE give him full power to dispose of the said goods in the said ports, and if need bee, within one yeare next after the unladeing of the same, to lade the said merchandizes and goods again into the same or other shipps, and to export the same into any other Countreys, either of our Dominions or fforreigne. according to lawe: Provided alwayes, that they pay such, customes and imposicons, subsidies and duties for the same to vs, our heires and successors, as the rest of our subiects of our kingdome of England, for the time being shall be bound to pay, and doe observe the acts of Navigation and other lawes in that behalfe made. AND FURTHERMORE, of our more ample and especiall grace, certain knowledge and meere motion, WEE DOE, for vs, our heires and successors, Grant vnto the said William Penn, his heires and assignes, full and absolute power and authoritie, to make, erect and constitute within the said province, and the Isles and Isletts aforesaid, such and soe many Seaports, harbours, Creeks, Havens, Keyes and other places, for discharge and vnladeing of goods, & merchandize out of the shipps, boates and other vessells, and Ladeing them in such and soe many places, and with such rights, Jurisdiccons, liberties and priviledges unto the said ports, belonging as to him or them, shall seeme most expedient, and that all and singuler the shipps, boates and other vessells, which shall come for merchandize and trade, vnto the said pvince, or out of the same shall depart, shall be laden or vnladen onely att such ports as shall be erected and constituted by the said William Penn, his heires and assignes, any vse, custome or other thing to the contrary notwithstanding: PROVIDED, that the said William Penn and his heires, and the Lieutenants and Governors for the time being, shall admitt and receive in and about all such ports, havens, Creeks and Keyes, all officers and their Deputies, who shall from time to time be appointed for that purpose, by the ffarmers or Comissioners of our customes, for the time being. AND WEE DOE further appoint and ordaine, and by these presents for vs, our heires and successors, WEE DOE grant vnto the said William Penn, his heires and assignes, that he the said William Penn, his heires and assignes, may from time to time forever, have and enioy the customes and subsidies in the ports, harbours and other Creeks, and places aforesaid, within the pvince aforesaid, payable or due for merchandizes and wares, there to be laded and vnladed, the said customes and subsidies to be reasonably assessed, vpon any occasion by themselues, and the people there as aforesaid, to be assembled to whom WEE give power, by these presents for vs, our heires and successors, vpon iust cause, and in a due pporcon, to assesse and impose the same, saveing vnto vs, our heires and successors, such imposcons and customes as by act of parliament are and shall be appointed; and it is our further will and pleasure, that the said William Penn, his heires and assignes, shall from time to time constitute and appoint an attorney or agent, to reside in or neare our Citty of London, who shall make knowne the place where he shall dwell or may be found, vnto the Clerks of Our privy Counsell, for the time being, or one of them, and shall be ready to appeare in any of our Courts att Westminster, to answer for any misdemeanors that shall be comitted, or by any wilfull default or neglect pmitted by the said William Penn, his heires or assignes, against our Lawes of Trade or Navigacon, and after it shall be ascertained in any of our said Courts, what damages WEE or our heires or successors shall haue sustained, by such default or neglect, the said William Penn, his heires and assignes, shall pay the same within one yeare after such taxacon and demand thereof, from such attorney, or in case there shall be noe such attorney, by the space of one yeare, or such attorney shall not make payment of such damages, within the space of one yeare, and answer such other forfeitures and penalties within the said time, as by the acts of parliament in England, are or shall be pvided. according to the true intent and meaning of these presents ; Then it shall be lawfule for vs, our heires and successors, to seize and Resume the government of the said pvince or Countrey, and the same to retaine untill payment shall be made thereof. But notwithstanding any such seizure or resumption of the Government, nothing concerening the propriety or ownership of any Lands, Tenements or other hereditaments, or goods, or chattels of any the adventurers, Planters or owners, other then the respective offenders there, shall be any way affected or molested thereby : PROVIDED alwayes, and our will and pleasure is that neither the said William Penn, nor his heires, nor any other the inhitants of the said pvince, shall at any time hereafter haue or maintain any correspondence with any other king, prince or State, or with any of theire subiects, who shall then be in warr against vs, our heires or successors ; Nor shall the said William Penn, or his heires, or any other the inhabitants of the said pvince, make warre or doe any act of hostilitie against any other king, prince or state, or any of their subiects, who shall then be in league or amity with vs, our heires or successors. And because in soe remote a Countrey, and scituate neare many Barbarous Nations, the incursions as well of the savages themselues, as of other enemies, pirates and Robbers, may pbably be feared. Therefore, WEE have given and for vs, our heires and successors, Doe give power by these presents vnto the said William Penn, his heires and assignes, by themselues or their Captaines or other, their officers to levy, muster and traine all sorts of men, of what condicon, or wheresoever borne, in the said pvince of Pensylvania, for the time being, and to make warr and pursue the enemies and Robbers aforesaid, as well by Sea as by Land, yea, even without the Limits of the said pvince, and by God's assistance, to vanquish and take them, and being taken, to put them to death by the law of Warr, or to save them att theire pleasure, and to doe all and every other act and thing, which to the charge and office of a Captaine generall of an Army, belongeth or hath accustomed to belong, as fully and ffreely as any Captaine Generall of an Army, hath ever had the same. AND FURTHERMORE, of our especiall grace and of our certaine knowledg and meere motion, WEE have given and granted, and by these presents for vs, our heires and successors, Doe give and grant vnto the said William Penn, his heires and assignes, full and absolute power, licence and authoritie, That he the said William Penn, his heires and Assignes, from time to time hereafter forever, att his or theire will and pleasure, may assigne, alien, grant, demise or infeoffe of the premises, soe many, and such partes and parcells to him or them, that shall be willing to purchase the same, as they shall thinke ffitt. TO HAVE AND TO HOLD to them, the said person and persons willing to take or purchase, theire heires and assignes, in ffee simple or ffeetaile, or for the terme of life, or liues, or yeares, to be held of the said William Penn, his heires and assignes, as of the said Seigniory of Windsor, by such services, customes and rents, as shall seeme ffitt to the said William Penn, his heires and assignes, and not imediately of vs, our heires and successors, and to the same person or persons, and to all and every of them, WEE DOE give and grant by these presents, for vs, our heires and successors, Licence, authoritie and power, that such person or persons may take the premisses or any parcell thereof, of the aforesaid William Penn, his heires or assignes, and the same hold to them selues, their heires and assignes, in what estate of inheritance soever, in ffee simple, or in ffeetaile or otherwise, as to him the said William Penn, his heires and assignes, shall seem expedient. The Statutes made in the parliament of Edward, sonne of king Henry, late king of England, our predecessor, comonly called the Statute Quia Emptores terrarum, lately published in our kingdome of England, in any wise notwithstanding, and by these presents, WEE give and grant licence vnto the said William Penn, and his heires, likewise to all and every such person and persons to whom the said William Penn, or his heires, shall at any time hereafter, grant any estate of inheritance as aforesaid, to erect any parcells of Land within the pvince aforesaid, into mannors, by and with the licence to be first had and obteyned for that purpose, vnder the hand and seale of the said William Penn, or his heires, and in every of the said mannors, to haue and to hold a Court Baron, with all thinges whatsoever, which to a Court Baron do belong; and to haue and to hold view of ffrankpledge, for the conservacon of the peace, and the better government of those partes by themselves or their Stewarts, or by the Lords for the time being, of other mannors to be deputed when they shall be erected, and in the same, to vse all things belonging to view of ffrankpledge; and WEE doe further grant licence and authoritie that every such person and persons, who shall erect any such mannor or mannors as aforesaid, shall or may grant all or any parte of his said lands to any person or persons, in ffee simple or any other estate of inheritance, to be held of the said mannors respectively, soe as noe further tenures shall be created, but that vpon all further and other alienacons thereafter, to be made the said lands soe aliened, shall be held of the same Lord and his heires, of whom the alien did then before hold, and by the like, rents and services, which were before due and accustomed. And further, our pleasure is and by these presents for vs, our heires and successors, WEE doe Covenant and grant to and with the said William Penn, and his heires and assignes, that WEE, our heires and successors, shall att no time hereafter sett or make, or cause to be sett, any imposicon, custome or other taxacon, rate or contribucon whatsoever, in and upon the dwellers and inhabitants of the aforesaid pvince, for their lands, tenements, goods or chattels, within the said province, or in and vpon any goods or merchandize within the said pvince, or to be laden or vnladen within the ports or harbours of the said pvince, vnles the same be with the consent of the pprietary, or chiefe Governor and Assembly, or by act of parliament in England. And our pleasure is, and for us our heires and successors, WEE charge and comand, that this our Declaracon. shall from henceforward be received, and allowed from time to time in all our Courts, and before all the Judges of vs, our heires and successors, for a sufficicient and lawful discharge, payment and acquittance, comanding all and singular the officers and ministers of vs, our heires and successors, and enioyneing them vpon paine of our high displeasure, that they doe not presume att any time to attempt any thing to the contrary of the premises, or that they doe in any sort withstand the same, but that they bee att all times aiding and assisting as is fitting vnto the said William Penn, and his heires, and to the inhabitants and merchants of the pvince aforesaid, their servants, ministers, ffactors and assignes, in the full vse and fruition of the beneffitt of this our Charter: And our further pleasure is, And WEE doe hereby, for vs, our heires and successors, charge and require that if any of the inhabitants of the said pvince, to the number of Twenty, shall att any time hereafter be desirous, and shall by any writeing or by any pson deputed for them. signify such their desire to the Bishop of London, that any preacher or preachers to be approved of by the said Bishop, may be sent vnto them for their instruccon, that then such preacher or preachers, shall and may be and reside within the said pvince, without any Deniall or molestacon whatsoever; and if pchance it should happen hereafter, any doubts or questions should arise concerneing the true sence & meaning of any word, clause or sentence, conteyned in this our present charter, WEE WILL ordaine and comand, that att all times and in all things such interpretacon be made thereof, and allowed in any of our Courts whatsoever, as shall be adiudged most advantageous and favourable unto the said William Penn, his heires and assignes: PROVIDED alwayes, that no interpretacon be admitted thereof, by which the allegiance due vnto vs, our heires and successors, may suffer any preiudice or diminucon, although expres mencon be not made in these presents, of the true yearly value or certainty of the premisses, or of any parte thereof, or of other guifts and grants made by vs, our pgenitors or predecessors, vnto the said William Penn, or any Statute, act, ordinance, pvision, pclamacon or restraint heretofore, had made, published, ordained or pvided, or any other thing, cause or matter whatsoever to the contrary thereof, in any wise notwithstanding. In Witness whereof WEE have caused these our letters to be made patents, Witness our selfe at Westminster, the fourth day of March, in the three and thirtieth yeare of our Reigne.

PIGOTT.

By Writt of privy Seale.
John Shaler, chv^r.
xxvij die Janry, 1682, Fir.

CERTAIN CONDITIONS OR CONCESSIONS,

Agreed upon by William Penn, Proprietary and Governor of the Province of Pennsylvania and those who are the adventurers and purchasers in the same province the Eleventh of July, One thousand six hundred and eighty one.

First. That so soon as it pleaseth God that the above said persons arrive there, a quantity of land or Ground plat shall be laid out for a large Town or City in the most convenient place upon the River for health and navigaton; and every purchaser and adventurer shall by lot have so much land therein as will answer to the proportion which he hath bought or taken up upon rent, But it is to be noted that the surveyors shall consider what Roads or Highways will be necessary to the Cities, Towns, or through the lands. Great roads from City to City not to contain less than forty feet in breadth shall be first laid out and declared to be for highways before the Dividend of acres be laid out for the purchaser and the like observation to be had for the streets in the Towns and Cities, that there may be convenient roads and streets preserved not to be encroached upon by any planter or builder that none may build irregularly to the damage of another.—In this custom governs.

Secondly. That the land in the Town be laid out together after the proportion of ten thousand acres of the whole country, that is two hundred acres, if the place will bear it: However that the proportion be by lot and entire so as those that desire to be together, especially those that are by the catalogue laid together, may be so laid together both in the Town & Country.

Thirdly. That when the Country lots are laid out, every purchaser from one thousand to Ten thousand acres or more, not to have above One thousand acres together, unless in three years they plant a family upon every thousand acres; but that all such as purchase together, lie together; and if as many as comply with this Condition, that the whole be laid out together.

Fourthly. That where any number of purchasers, more or less, whose number of acres amounts to Five or ten thousand acres, desire to sit together in a lot or Township, they shall have their lot or Township cast together, in such places as have convenient Harbours or navigable rivers attending it, if such can be found, and in case any one or more Purchasers plant not according to agreement, in this concession to the prejudice of others of the same Township upon complaint thereof, made to the Governor or his deputy, with assistance they may award (if they see cause) that the complaining purchaser may, paying the survey money, and purchase money, and Interest thereof, be entitled, inrolled and lawfully invested in the lands so not seated.

Fifthly. That the proportion of lands that shall be laid out in the first great Town or City, for every purchaser, shall be, after the proportion of Ten acres, for every Five hundred acres purchased, if the place will allow it.

Sixthly. That notwithstanding there be no mention made in the several Deeds made to the purchasers, yet the said William Penn, does accord and declare, that all Rivers, Rivulets, Woods and Underwoods, Waters, Watercourses, Quarries, Mines and Minerals, (except mines Royal,) shall be freely and fully enjoyed and wholly by the purchasers into whose lot they fall.

Seventhly. That for every Fifty acres that shall be allotted to a servant, at the end of his service, his Quitrent shall be two shillings per annum, and the master or owner of the Servant, when he shall take up the other Fifty acres, his Quitrent shall be Four shillings by the year, or if the master of the servant, (by reason in the Indentures he is so obliged to do,) allot out to the Servant Fifty acres in his own Division, the said master shall have on demand allotted him from the Governor, the One hundred acres, at the chief rent of Six shillings per annum.

Eightly. And for the encouragement of such as are ingenious, and willing to search out Gold and silver mines in this province, it is hereby agreed that they have liberty to bore and dig in any mans property, fully paying the damage done, and in case a Discovery should be made, that the discoverer have One Fifth, the owner of the soil (if not the Discoverer) a Tenth part, the Governor Two fifths, and the rest to the public Treasury, saving to the king the share reserved by patent.

Ninthly. In every hundred thousand acres, the Governor and Proprietary by lot reserveth Ten to himself, which shall lie but in one place.

Tenthly. That every man shall be bound to plant or man so much of his share of Land as shall be set out and surveyed within three years after it is so set out and surveyed, or else it shall be lawful for new comers to be settled thereupon, paying to them their survey money, and they go up higher for their shares.

Eleventhly. There shall be no buying and selling, be it with an Indian, or one among another of any Goods to be exported but what shall be performed in public market, when such place shall be set apart or erected, where they shall pass the public Stamp or Mark. If bad ware and prized as good, or deceitful in proportion or weight, to forfeit the value as if good, and full weight and proportion to the public Treasury of the Province, whether it be the merchandize of the Indian or that of the Planters.

Twelfthly. And forasmuch as it is usual with the planters to overreach the poor natives of the Country in Trade, by Goods not being good of the kind, or debased with mixtures, with which they are sensibly aggrieved, it is agreed, whatever is sold to the Indians, in consideration of their furs, shall be sold in the market place, and there suffer the test, whether good or bad; if good to pass; if not good, not to be sold for good, that the natives may not be abused nor provoked.

Thirteenthly. That no man shall by any ways or means, in word or deed, affront or wrong any Indian, but he shall incur the same penalty of the Law, as if he had committed it against his fellow planters; and if any Indian shall abuse, in Word or Deed, any planter of this province, that he shall not be his own Judge upon the Indian, but he shall make his complaint to the Governor of the province, or his Lieutenant or Deputy, or some inferior magistrate near him, who shall, to the utmost of his power, take care with the king of the said Indian, that all reasonable Satisfaction be made to the said injured planter.

Fourteenthly. That all differences between the Planters and the natives, shall also be ended by Twelve men, that is, by Six planters and Six natives, that so we may live friendly together as much as in us lieth, preventing all occasions of Heart burnings and mischief.

Fifteenthly. That the Indians shall have liberty to do all things relating to improvement of their Ground, and providing sustenance for the families, that any of the planters shall enjoy.

Sixteenthly. That the laws as to Slanders, Drunkeness, Swearing, Cursing, Pride in apparel, Trespasses, Distresses, Replevins, Weights and measures, shall be the same as in England, till altered by law in this province.

Seventeenthly. That all shall mark their hogs, sheep and other cattle, and what are not marked within three months after it is in their possession, be it young or old, it shall be forfeited to the Governor, that so people may be compelled to avoid the occasions of much strife between Planters.

Eighteenthly. That in clearing the ground, care be taken to leave One acre of trees for every five acres cleared, especially to preserve oak and mulberries, for silk and shipping.

Nineteethly. That all ship masters shall give an account of their Countries, Names, Ships, Owners, Freights and Passengers, to an officer to be appointed for that purpose, which shall be registered within Two days after their arrival; and if they shall refuse so to do that then none presume to trade with them, upon forfeiture thereof; and that such masters be looked upon as having an evil intention to the province.

Twentiethly. That no person leave the Province without publication being made thereof in the market place, Three weeks before, and certificate from some Justice of the peace, of his clearness with his neighbours and those he has dealt withal, so far as such an assurance can be attained and given; and if any master of a ship shall contrary hereunto receive, and carry away any person that hath not given that public notice, the said master shall be liable to all debts owing by the said person, so secretly transported from the province. Lastly, that these are to be added to or corrected by and with the consent of the parties hereunto subscribed.

Sealed and delivered in the presence of

WILLIAM PENN.

William Boelham,
Harbert Springet,
Thomas Prudyard,

Sealed and delivered in the presence of all the proprietors who have hereunto subscribed, except Thomas Farrinborrough and John Goodson, in the presence of

Hugh Chamberlen,
R. Murray,
Harbert Springet,

Humphry South,
Thomas Barker,
Samuel Jobson,
John Joseph Moore,
William Powel,
Richard Davie,
Griffith Jones,
Hugh Lambe,
Thomas Farrinborrough,
John Goodson.

No. VII.

THE FRAME OF THE GOVERNMENT

Of the Province of Pennsylvania, in America: together with certain laws in England, by the Governor and divers freemen of the aforesaid Province. To be further explained and confirmed there by the first Provincial Council that shall be held, if they see meet.

THE PREFACE.

When the great and wise God had made the world, of all his creatures it pleased him to choose man his deputy to rule it; and to fit him for so great a charge and trust, he did not only qualify him with skill and power, but with integrity to use them justly. This native goodness was equally his honour and his happiness; and whilst he stood here, all went well; there was no need of coercive or compulsive means; the precept of divine love and truth in his bosom was the guide and keeper of his innocency. But lust prevailing against duty, made a lamentable breach upon it; and the law, that before had no power over him, took place upon him and his disobedient posterity, that such as would not live conformable to the holy law within, should fall under the reproof and correction of the just law without, in a judicial administration.

This the apostle teaches in divers of his epistles. The law (says he) was added because of trangression: In another place, knowing that the law was not made for the righteous man; but for the disobedient and ungodly, for sinners, for unholy and prophane, for murderers, for whoremongers, for them that defile themselves with mankind, and for menstealers, for liars, for perjured persons, &c.

But this is not all, he opens and carries the matter of government a little further: Let every soul be subject to the higher powers, for there is no power but of God. The powers that be are ordained of God: whosoever therefore resisteth the power, resisteth the ordinance of God. For rulers are not a terror to good works, but to Evil: wilt thou then not be afraid of the power? Do that which is good, and thou shalt have praise of the same.——He is the minister of God to thee for good.——Wherefore ye must needs be subject, not only for wrath, but for conscience sake.

This settles the divine right of government beyond exception, and that for two ends: first, to terrify evil-doers; secondly, to cherish those that do well; which gives government a life beyond corruption, and makes it as durable in the world, as good men shall be. So that government seems to me a part of religion itself, a thing sacred in its institution and end. For if it does not directly remove the cause, it crushes the effects of evil, and is as such (tho' a lower yet) an emanation of the same Divine Power, that is both author and object of pure religion; the difference lying here, that the one is more free and mental, the other more corporal and compulsive in its operations: but that is only to evil-doers; government itself being otherwise as capable of kindness, goodness and charity, as a more private society. They weekly err, that think there is no other use of government than correction, which is the coarsest part of it: daily experience tells us, that the care and regulation of many other affairs more soft and daily necessary, make up much the greatest part of government; and which must have followed the peopling of the world, had Adam never fell, and will continue among men on earth under the highest attainments they may arrive at, by the coming of the blessed second Adam, the Lord from Heaven. Thus much of government in general, as to its rise and end.

For particular frames and models, it will become me to say little; and comparatively I will say nothing. My reasons are: first, that the age is too nice and difficult for it; there being nothing the wits of men are more busy and divided upon. 'Tis true, they seem to agree in the end, to wit., happiness; but in the means they differ, as to divine, so to this human felicity; and the cause is much the same, not always want of light and knowledge, but want of using them rightly. Men side with their passions against their reason, and their sinister interests have so strong a bias upon their minds, that they lean to them against the good of the things they know.

Secondly, I do not find a model in the world, that time, place, and some singular emergences have not necessarily altered; nor is it easy to frame a civil government, that shall serve all places alike.

Thirdly, I know what is said by the several admirers of monarchy, aristocracy and democracy, which are the rule of one, a few, and many, and are the three common ideas of government, when men discourse on that subject. But I choose to solve the controversy with this small distinction, and it belongs to all three: any government is free to the people under it (whatever be the frame) where the laws rule, and the people are a party to those laws, and more than this is tyranny, oligarchy, and confusion.

But lastly, when all is said, there is hardly one frame of government in the world so ill designed by its first founders, that in good hands would not do well enough; and story tells us, the best in ill ones can do nothing that is great or good; witness the Jewish and Roman states. Governments, like clocks, go from the motion men give them, and as governments are made and moved by men, so by them they are ruined too. Wherefore governments rather depend upon men, than men upon governments. Let men be good, and the government cannot be bad; if it be ill, they will cure it. But if men be bad, let the government be never so good, they will endeavour to warp and spoil it to their turn.

I know some say, let us have good laws, and no matter for the men that execute them: but let them consider, that though good laws do well, good men do better: for good laws may want good men, and be abolished or invaded by ill men; but good men will never want good laws, nor suffer ill ones. 'Tis true, good laws have some awe upon ill ministers, but that is where they have not power to escape or abolish them, and the people are generally wise and good: but a loose and depraved people (which is to the question) love laws and an administration like themselves. That therefore, which makes a good constitution, must keep it, viz: men of wisdom and virtue, qualities, that because they descend not with worldly inheritances, must be carefully propagated by a virtuous education of youth, for which after ages will owe more to the care and prudence of founders, and the successive magistracy, than to their parents for their private patrimonies.

These considerations of the weight of government, and the nice and various opinions about it, made it uneasy to me to think of publishing the ensuing frame and conditional laws, foreseeing both the censures they will meet with from men of differing humours and engagements, and the occasion they may give of discourse beyond my design.

But next to the power of necessity (which is a solicitor that will take no denial) this induced me to a compliance, that we have (with reverence to God, and good conscience to men) to the best of our skill, contrived and composed the FRAME and LAWS of this government, to the great end of all government, viz: to support power in reverence with the people, and to secure the people from the abuse of power; that they may be free by their just obedience, and the magistrates honourable for their just administration: for liberty without obedience is confusion, and obedience without liberty is slavery. To carry this evenness is partly owing to the constitution, and partly to the magistracy: where either of these fail, government will be subject to convulsions; but where both are wanting, it must be totally subverted: then where both meet, the government is like to endure. Which I humbly pray and hope God will please to make the lot of this of Pennsylvania. Amen.

WILLIAM PENN.

THE FRAME.

TO ALL PEOPLE, to whom these presents shall come. WHEREAS king Charles the second, by his letters patents, under the great seal of England; for the consideration therein mentioned, hath been graciously pleased to give and grant unto me William Penn (by the name of William Penn, Esq. son and heir of Sir William Penn, deceased) and to my heirs and assigns forever, all that tract of land or province, called Pennsylvania, in America, with divers great powers, preheminences, royalties, jurisdictions, and authorities, necessary for the well-being and government thereof: NOW KNOW YE, that for the well-being and government of the said province, and for the encouragement of all the freemen and planters that may be therein concerned, in pursuance of the powers aforementioned, I the said William Penn have declared, granted, and confirmed, and by these presents, for me, my heirs and assigns, do declare, grant and confirm unto all the freemen, planters and adventurers, of, in and to the said province, these liberties, franchises, and properties, to be held, enjoyed and kept by the freemen, planters and inhabitants of the said province of Pennsylvania for ever.

Imprimis. That the government of this province shall, according to the powers of the patent, consist of the Governor and freemen of the said province, in form of a Provincial Council and General Assembly, by whom all laws shall be made, officers chosen, and publick affairs transacted, as is hereafter respectively declared. That is to say,

Second. That the freemen of the said province shall, on the twentieth day of the twelfth month, which shall be in this present year, one thousand six hundred eighty and two, meet and assemble in some fit place, of which timely notice shall be before hand given, by the governor or his deputy, and then and there shall choose out of themselves seventy two persons of most note for their wisdom, virtue and ability, who shall meet on the tenth day of the first month next ensuing, and always be called and act as the Provincial Council of the said province.

Third. That at the first choice of such Provincial Council, one third part of the said Provincial Council shall be chosen to serve for three years next ensuing; one third part for two years then next ensuing, and one third part for one year then next following such election, and no longer; and that the said third part shall go out accordingly. And on the twentieth day of the twelfth month as aforesaid, yearly for ever afterward, the freemen of the said province shall in like manner meet and assemble together, and then chuse twenty four persons, being one third of the said number, to serve in Provincial Council for three years. It being intended, that one third part of the whole Provincial Council (always consisting and to consist of seventy two persons, as aforesaid) falling off yearly, it shall be yearly supplied by such new yearly elections, as aforesaid; and that no one person shall continue therein longer than three years: and in case any member shall decease before the last election during his time, that then at the next election ensuing his decease, another shall be chosen to supply his place for the remaining time he was to have served, and no longer.

Fourth. That after the first seven years, every one of the said third parts that goeth yearly off, shall be uncapable of being chosen again for one whole year following: that so all may be fitted for government, and have experience of the care and burden of it.

Fifth. That the Provincial Council in all cases of matters of moment, as their arguing upon bills to be past into laws, erecting courts of justice, giving judgment upon criminals impeached, and choice of officers, in such manner as is herein after mentioned; not less than two thirds of the whole Provincial Council shall make a quorum; and that the consent and approbation of two thirds of such quorum shall be had in all such cases and matters of moment. And moreover, that in all cases and matters of lesser moment, twenty-four members of the said Provincial Council shall make a quorum, the majority of which twenty four shall and may always determine in such cases and causes of lesser moment.

Sixth. That in this Provincial Council the governor or his deputy shall or may always preside, and have a treble voice; and the said Provincial Council shall always continue, and sit upon its own adjournments and committees.

Seventh. That the governor and Provincial Council shall prepare and propose to the General Assembly hereafter mentioned, all bills, which they shall at any time think fit to be passed into laws within the said province; which bills shall be published and affixed to the most noted places in the inhabited parts thereof thirty days before the meeting of the General Assembly, in order to the passing them into laws, or rejecting of them, as the General Assembly shall see meet.

Eighth. That the governor and Provincial Council shall take care that all laws, statutes and ordinances, which shall at any time be made within the said province, be duly and diligently executed.

Ninth. That the governor and Provincial Council shall at all times have the care of the peace and safety of the province, and that nothing be by any person attempted to the subversion of this frame of goverment.

Tenth. That the governor and Provincial Council shall at all times settle and order the situation of all cities, ports and market towns in every county, modelling therein all public buildings, streets, and market places, and shall appoint all necessary roads and highways in the province.

Eleventh. That the governor and Provincial Council shall at all times have power to inspect the management of the publick treasury, and punish those who shall convert any part thereof to any other use, than what hath been agreed upon by the governor, Provincial Council and General Assembly.

Twelfth. That the governor and Provincial Council shall erect and order all publick schools, and encourage and reward the authors of useful sciences and laudable inventions in the said province.

Thirteenth. That for the better management of the powers and trust aforesaid, the Provincial Council shall from time to time divide itself into four distinct and proper committees, for the more easy administration of the affairs of the province, which divides the seventy-two into four eighteens, every one of which eighteens shall consist of six out of each of the three orders or yearly elections, each of which shall have a distinct portion of business, as followeth: first, a committee of plantations, to situate and settle cities, ports, market-towns and high-ways, and to hear and decide all suits and controversies relating to plantations. Secondly, a committee of justice and safety, to secure the peace of the province, and punish the male-administration of those who subvert justice to the prejudice of the publick or private interest. Thirdly, a committee of trade and treasury, who shall regulate all trade and commerce according to law, encourage manufacture and country growth, and defray the publick charge of the province. And fourthly, a committee of manners, education, and arts, that all wicked and scandalous living may be prevented, and that youth may be successively trained up in virtue and useful knowledge and arts: the quorum of each of which committees being six, that is, two out of each of the three orders or yearly elections as aforesaid, making a constant and standing council of twenty-four, which will have the power of the Provincial Council, being the quorum of it, in all cases not excepted in the fifth article; and in the said committees and standing Council of the province, the governor or his deputy shall or may preside as aforesaid; and in the absence of the governor or his deputy, if no one is by either of them appointed, the said committees or Council, shall appoint a president for that time, and not otherwise; and what shall be resolved at such committees, shall be reported to the said Council of the province, and shall be by them resolved and confirmed before the same shall be put in execution; and that these respective committees shall not sit at one and the same time, except in cases of necessity.

Fourteenth. And to the end that all laws prepared by the governor and Provincial Council aforesaid, may yet have the more full concurrence of the freemen of the province, it is declared, granted, and confirmed, that at the time and place or places for the choice of a Provincial Council as aforesaid, the said freemen shall yearly choose members to serve in General Assembly as their representatives, not exceeding two hundred persons, who shall yearly meet on the twentieth day of the second month, which shall be in the year one thousand six hundred eighty and three following, in the capital, town, or city of the said province, where during eight days the several members may freely confer with one another; and, if any of them see meet, with a committee of the Provincial Council (consisting of Three out of each of the four committees aforesaid, being twelve in all) which shall be at that time purposely appointed to receive from any of them proposals for the alteration or amendment of any of the said proposed and promulgated bills: and on the ninth day from their so meeting, the said General Assembly. after reading over the proposed bills by the clerk of the Provincial Council, and the occasion and motives for them being opened by the governor or his deputy, shall give their affirmative or negative, which to them seemeth best, in such manner as hereinafter is expressed. But not less than two thirds shall make a quorum in the passing of laws, and choice of such officers as are by them to be chosen.

Fifteenth. That the laws so prepared and proposed as aforesaid, that are assented to by the General Assembly, shall be enrolled as laws of the province, with this stile: *By the Governor, with the assent and approbation of the freemen in Provincial Council and General Assembly.*

Sixteenth. That for the better establishment of the Government and laws of this province, and to the end there may be an universal satisfaction in the laying of the fundementals thereof; the General Assembly shall or may for the first year consist of all the freemen of and in the said province, and ever after it shall be yearly chosen, as aforesaid; which number of two hundred shall be enlarged as the country shall increase in people, so as it do not exceed five hundred at any time: the appointment and proportioning of which, as also the laying and methodizing of the choice of the Provincial Council and General Assembly in future times, most equally to the divisions of the hundreds and counties, which the country shall hereafter be divided into; shall be in the power of the Provincial Council to propose, and the General Assembly to resolve.

Seventeenth. That the governor and the Provincial Council shall erect, from time to time, standing courts of justice in such places and number as they shall judge convenient for the good government of the said province. And that the Provincial Council shall, on the thirteenth day of the first month yearly, elect and present to the governor or his deputy, a double number of persons to serve for judges, treasurers, master of rolls, within the said province for the year next ensuing; and the freemen of the said province in the county courts, when they shall be erected, and till then in the General Assembly shall, on the three and twentieth day of the second mouth yearly, elect and present to the governor or his deputy, a double number of persons to serve for sheriffs, justices of the peace, and coroners, for the year next ensuing; out of which respective elections and presentments, the governor or his deputy shall nominate and commissionate the proper number for each office the third day after the said presentments; or else the first named in such presentment for each office, shall stand and serve for that office the year ensuing.

Eighteenth. But forasmuch as the present condition of the province requires some immediate settlement, and admits not of so quick a revolution of officers; and to the end the said province may with all convenient speed be well ordered and settled, I William Penn do therefore think fit, to nominate and appoint such persons for judges, treasurers, masters of the rolls, sheriffs, justices of the peace, and coroners, as are most fitly qualified for those employments; to whom I shall make and grant commissions for the said offices respectively, to hold to them to whom the same shall be granted, for so long time as every such person shall well behave himself in the office or place to him respectively granted, and no longer. And upon the decease or displacing of any of the said officers, the succeeding officer or officers shall be chosen as aforesaid.

Nineteenth. That the General Assembly shall continue so long as may be needful to impeach criminals fit to be there impeached; to pass bills into laws, that they shall think fit to pass into laws, and till such time as the governor and Provincial Council shall declare, that they have nothing further to propose unto them for their assent and approbation; and that declaration shall be a dismiss to the General Assembly for that time, which General Assembly shall be notwithstanding capable of assembling together, upon the summons of the Provincial Council, at any time during that year, if the said Provincial Council shall see occasion for their so assembling.

Twentieth. That all the elections of members or representatives of the people, to serve in Provincial Council and General Assembly, and all questions to be determinated by both or either of them, that relate to passing of bills into laws, to the choice of officers, to impeachments made by the General Assembly, and judgment of criminals upon such impeachments by the Provincial Council, and to all other cases by them respectively judged of importance, shall be resolved and determined by the ballot; and, unless on sudden and indispensible occasions, no business in Provincial Council, or its respective committees, shall be finaly determined the same day that it is moved.

Twenty-first. That at all times, when and so often as it shall happen, that the Governor shall or may be an infant, under the age of one and twenty years, and no guardians or commissioners are appointed in writing by the father of the said infant, or that such guardians or commissioners shall be deceased; that during such minority, the Provincial Council shall, from time to time, as they shall see meet, constitute and appoint guardians or commissioners, not exceeding three; one of which three shall preside as deputy and chief guardian, during such minority, and shall have and execute, with the consent of the other two, all the power of a governor, in all the public affairs and concerns of the said province.

Twenty-second. That as often as any day of the month, mentioned in any article of this charter, shall fall upon the first day of the week, commonly called the Lord's day, the business appointed for that day, shall be deferred till next day, unless in case of emergency.

Twenty-third. That no act, law or ordinance whatsoever, shall at any time hereafter be made or done, by the governor of this province, his heirs or assigns, or by the freemen in the Provincial Council or the General Assembly, to alter; change or diminish the form or effect of this charter, or any part or clause thereof, without the consent of the governor, his heirs or assigns, and six parts of seven of the said freemen in Provincial Council, and General Assembly.

And lastly. That I the said William Penn, for myself, my heirs, and assigns, have solemnly declared, granted and confirmed, and do hereby solemnly declare, grant and confirm, that neither I, my heirs nor assigns, shall procure or do any thing or things, whereby the liberties in this charter contained and expressed, shall be infringed or broken ; and if any thing be procured by any person or persons contrary to these premises, it shall be held of no force or effect. In Witness whereof, I the said William Penn have unto this present charter of liberties, set my hand and broad seal, this five and twentieth day of the second month, vulgarly called April, in the year of our Lord, one thousand six hundred and eighty-two.

WILLIAM PENN.

LAWS AGREED UPON IN ENGLAND.

First. That the charter of liberties, declared, granted and confirmed, the five and twentieth day of the second month, called April, 1682, before divers witnesses by William Penn, governor and chief proprietary of Pennsylvania, to all the freemen and planters of the said province, is hereby declared and approved, and shall be for ever held for fundamental, in the government thereof, according to the limitations mentioned in the said charter.

Second. That every Inhabitant in the said province, that is or shall be a purchaser of one hundred acres of land or upwards, his heirs and assigns, and every person who shall have paid his passage, and taken up one hundred acres of land, at one penny an acre, and have cultivated ten acres thereof, and every person that hath been a servant or bondsman, and is free by his service, that shall have taken up his fifty acres of land, and cultivated twenty thereof, and every inhabitant, artificer, or other resident in the said province, that pays scot and lot to the government, shall be deemed and accounted a freeman of the said province; and every such person shall and may be capable of electing or being elected representatives of the people in Provincial Council or General Assembly in the said province.

Third. That all elections of members or representatives of the people and freemen of the province of Pennsylvania, to serve in Provincial Council or General Assembly, to be held within the said province, shall be free and voluntary: and that the elector that shall receive any reward or gift, in meat, drink, monies or otherwise, shall forfeit his right to elect; and such person as shall, directly or indirectly, give, promise, or bestow any such reward as aforesaid, to be elected, shall forfeit his election, and be thereby incapable to serve as aforesaid. And the Provincial Council and General Assembly shall be the sole judges of the regularity or irregularity of the elections of their own respective members.

Fourth. That no money or goods shall be raised upon, or paid by any of the people of this province, by way of a publick tax, custom or contribution, but by a law for that purpose made; and whosoever shall levy, collect or pay any money or goods contrary thereunto, shall be held a publick enemy to the province, and a betrayer of the liberties of the people thereof.

Fifth. That all courts shall be open, and justice shall neither be sold denied or delayed.

Sixth. That in all courts all persons of all persuasions may freely appear in their own way, and according to their own manner, and there personally plead their own cause themselves, or if unable, by their friends. And the first process shall be the exhibition of the complaint in court, fourteen days before the trial; and that the party complained against may be fitted for the same,he or she shall be summoned no less than ten days before, and a copy of the complaint delivered him or her, at his or her dwelling house. But before the complaint of any person be received. he shall solemnly declare in court, that he believes in his concience his cause is just.

Seventh. That all pleadings, processes and records in courts, shall be short, and in english, and in an ordinary and plain character, that they may be understood, and justice speedily administered.

Eighth. That all trials shall be by twelve men, and as near as may be, peers or equals, and of the neighborhood, and men without just exception. In cases of life, there shall be first twenty-four returned by the sheriff for a grand inquest. of whom twelve at least shall find the complaint to be true; and then the twelve men, or peers. to be likewise returned by the sheriff, shall have the final judgment. But reasonable challenges shall be always admitted against the said twelve men or any of them.

Ninth. That all fees in all cases shall be moderate, and settled by the Provincial Council and General Assembly, and be hung up in a table in every respective court; and whosoever shall be convicted of taking more, shall pay twofold, and be dismissed his employment, one moiety of which shall go to the party wronged.

Tenth. That all prisons shall be workhouses for felons, vagrants, and loose and idle persons; whereof one shall be in every county.

Eleventh. That all prisoners shall be bailable by sufficient sureties, unless for capital offences, where the proof is evident, or the presumption great.

Twelfth. That all persons wrongfully imprisoned or prosecuted at law, shall have double damages against the informer or prosecutor.

Thirteenth. That all prisons shall be free, as to fees, food, and lodging.

Fourteenth. That all lands and goods shall be liable to pay debts, except where there is legal issue, and then all the goods, and one third of the land only.

Fifteenth. That all wills and writing attested by two witnesses, shall be of the same force, as to lands as other conveyances, being legally proved within forty days, either within or without the said province.

Sixteenth. That seven years quiet possession shall give an unquestionable right, except in cases of infants, lunaticks, married women, or persons beyond the seas.

Seventeenth. That all briberies and extortions whatsoever, shall be severely punished.

Eighteenth. That all fines shall be moderate, and saving mens contenements, merchandize or wainage.

Nineteenth. That all marriages (not forbidden by the law of God, as to nearness of blood and affinity by marriage) shall be encouraged; but the parents or guardians shall be first consulted, and the marriage shall be published before it be solemnized, and it shall be solemnized by taking one another as husband and wife, before credible witnesses, and a certificate of the whole, under the hands of parties and witnesses, shall be brought to the proper register of that county, and shall be registered in his office.

Twentieth. And to prevent frauds and vexatious suits within the said province, that all charters, gifts, grants, and conveyances of land, (except leases for a year or under) and all bills, bonds, and specialties have five pounds, and not under three months, made in the said province, shall be enrolled or registered in the publick enrolment office of the said province within the space of two months next after the making thereof, else to be void in law. And all deeds, grants, and conveyances of land (except as aforesaid) within the said province, and made out of the said province, shall be inrolled or registered as aforesaid, within six months next after the making thereof, and settling and constituting an enrolment office or registry within the said province, else to be void in law against all persons whatsoever.

Twenty-first. That all defacers or corruptors of charters, gifts, grants, bonds, bills, wills, contracts and conveyances, or that shall deface or falsify any enrolment, registry or record within this province, shall make double satisfaction for the same; half whereof shall go the party wronged, and they shall be dismissed of all places of trust, and be publickly disgraced as false men.

Twenty-second. That there shall be a register for births, marriages, burials, wills, and letters of administration, distinct from the other registry.

Twenty-third. That there shall be a register for all servants, where their names, time, wages, and days of payment, shall be registered.

Twenty-fourth. That all lands and goods of felons shall be liable to make satisfaction to the party wronged twice the value: and for want of lands or goods, the felons shall be bond-men to work in the common prison or work-house, or otherwise, till the party injured be satisfied.

Twenty-fifth. That the estates of capital offenders, as traitors and murderers, shall go one third to the next of kin to the sufferer, and the remainder to the next of kin to the criminal.

Twenty-sixth. That all witnesses, coming or called to testify their knowledge in or to any matter or thing in any court, or before any lawful authority within the said province, shall there give or deliver in their evidence or testimony, by solemnly promising to speak the truth, the whole truth, and nothing but the truth, to the matter or thing in question. And in case any person so called to evidence, shall be convicted of wilful falsehood, such person shall suffer and undergo such damage or penalty, as the person or persons against whom he or she bore false witness, did or should undergo; and shall also make satisfaction to the party wronged, and be publickly exposed as a false witness, never to be credited in any court, or before any magistrate, in the said province.

Twenty-seventh. And to the end that all officers chosen to serve within this province, may with more care and diligence answer the trust reposed in them, it is agreed, that no such person shall enjoy more than one publick office at one time.

Twenty-eighth. That all children within this province of the age of twelve years, shall be taught some useful trade or skill, to the end none may be idle, but the poor may work to live, and the rich, if they become poor, may not want.

Twenty-ninth. That servants be not kept longer than their time, and such as are careful, be both justly and kindly used in their service, and put in fitting equipage at the expiration thereof, according to custom.

Thirtieth. That all scandalous and malicious reporters, backbiters, defamers and spreaders of false news, whether against magistrates or private persons, shall be accordingly severely punished, as enemies to thepeace and concord of this province.

Thirty-first. That for the encouragement of the planters and traders in this province, who are incorporated into a society, the patent granted to them by William Penn, Governor of the said province, is hereby ratified and confirmed.

Thirty-second. * * * * * *
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Thirty-third. That all factors or correspondents in the said province wronging their employers, shall make satisfaction, and one third over, to their said employers: and in case of the death of any such factor or correspondent, the committee of trade shall take care to secure so much of the deceased party's estate, as belongs to his said respective employers.

Thirty-fourth. That all treasurers, judges, masters of the rolls, sheriffs, justices of the peace, and other officers and persons whatsoever, relating to courts or trials of causes, or any other service in the government; and all members elected to serve in provincial Council and General Assembly, and all that have right to elect such members, shall be such as profess faith in Jesus Christ, and that are not convicted of ill fame, or unsober and dishonest conversation, and that are of one and twenty years of age at least; and that all such so qualified, shall be capable of the said several employments and privileges as aforesaid.

Thirty-fifth. That all persons living in this province, who confess and acknowledge the one almighty and eternal God, to be the creator, upholder and ruler of the world, and that hold themelves obliged in concience to live peaceably and justly in civil society, shall in no ways be molested or prejudiced for their religious persuasion or practice in matters of faith and worship, nor shall they be compelled at any time to frequent or maintain any religious worship, place or ministry whatever.

Thirty-sixth. That according to the good example of the primitive christians, and for the ease of the creation. every first day of the week, called the Lord's day, people shall abstain from their common daily labour, that they may the better dispose themselves to worship God according to their understandings.

Thirty-seventh. That as careless and corrupt administration of justice draws the wrath of God upon magistrates, so the wildness and looseness of the people provoke the indignation of God against a country: therefore, that all such offences against God, as swearing, cursing, lying, prophane talking, drunkenness, drinking of healths, obscene words, incest, sodomy, rapes, whoredom, fornication, and other uncleanness (not to be repeated.) All treasons, misprisions, murders, duels, felonies, seditions, maims, forcible entries, and other violences, to the persons and estates of the inhabitants within this province: all prizes, stage plays, cards, dice, may-games, masques, revels, bull-baitings, cock-fightings, bear-baitings and the like, which excite the people to rudeness, cruelty, looseness and irreligion, shall be respectively discouraged, and severely punished, according to the appointment of the governor and freemen in Provincial Council and General Assembly, as also all proceedings contrary to these laws, that are not here made expressly penal.

Thirty-eighth. That a copy of these laws shall be hung up in the Provincial Council, and in publick courts of justice, and that they shall be read yearly, at the opening of every Provincial Council and General Assembly, and courts of justice, and their assent shall be testified by their standing up, after the reading thereof.

Thirty-ninth. That there shall be at no time any alteration of any of these laws, without the consent of the governor, his heirs or assigns, and six parts of seven of the freemen, met in Provincial Council and General Assembly.

Fortieth. That all other matters and things not herein provided for, which shall and may concern the publick justice, peace or safety of the said province; and the raising and imposing taxes, customs, duties, or other charges whatsoever, shall be, and are hereby referred to the order, prudence and determination of the governor and freemen in Provincial Council and General Assembly, to be held from time to time in the said province.

Signed and sealed by the Governor and freemen aforesaid, the fifth day of the third month, called May, one thousand six hundred and eighty-two.

No. VIII.

THE FRAME OF THE GOVERNMENT

Of the Province of Pennsylvania and Territories thereunto annexed in America, 1683.

To all persons to whom these presents may come: Whereas, king Charles the Second, by his letters patents, under the great Seal of England, bearing date the fourth day of March, in the thirty and third year of the king, for divers considerations therein mentioned, hath been graciously pleased to give and grant unto me, William Penn, (by the name of William Penn Esquire, son and heir of Sir William Penn, deceased,) and to my heirs and assigns for ever, all that tract of land or province called Pennsylvania, in America, with divers great powers, preheminencies, royalties, jurisdictions and authorities, necessary for the well being and government thereof. And whereas, the kings dearest brother James, duke of York and Albany, &c., by his deeds of feoffment under his hand and seal, duly perfected, bearing date the four and twentieth day of August, one thousand six hundred eighty and two, did grant unto me, my heirs and assigns, all that tract of land lying and being from twelve miles northward of Newcastle, upon Delaware river in America, to Cape Hinlopen upon the said river and bay of Delaware southward, together with all royalties, franchises, duties, jurisdictions, liberties and privileges thereunto belonging.

NOW KNOW YE, That for the well being and good government of the said Province and territories thereunto annexed, and for the encouragement of all the freemen and planters that may be therein concerned in pursuance of the rights and powers aforementioned, I the said William Penn, have declared, granted and confirmed, and by these presents for me, my heirs and assigns, do declare, grant and confirm unto all the freemen, planters and adventurers, of, in and to the said province and territories thereof, these liberties, franchises and properties, so far as in me lieth, to be held, enjoyed and kept by the freemen, planters and adventurers of, and in the said Province of Pennsylvania and territories thereunto annexed forever.

Imprimis. That the government of this province and territories thereof, shall from time to time, according to the powers of the patent and deeds of feoffment aforesaid, consist of the Proprietary and Governor and freemen of the said Province and territories thereof, in form of provincial Council and General Assembly, which provincial Council shall consist of eighteen persons, being three out of each county, and which Assembly shall consist of thirty six persons, being six out of each county, men of most note for their virtue, wisdom and ability, by whom all laws shall be made, officers chosen and public affairs transacted, as is hereafter limited and declared.

Second. There being three persons already chosen for every respective county of this province and territories thereof, to serve in the provincial Council, one of them for three years; one for two years, and one for one year; and one of them to go off yearly in every county; that on the tenth day of the first month yearly for ever after, the freemen of the said province and territories thereof, shall meet together in the most convenient place in every county of this province and territories thereof, then and there to choose one person qualified as aforesaid in every county, being one third of the number to serve in provincial Council for three years; it being intended that one third of the whole provincial Council, consisting and to consist of eighteen persons, falling off yearly, it shall be yearly supplied with such yearly elections as aforesaid; and that one person shall not continue in longer than three years; and in case any member shall decease before the last election during his time, that then at the next election ensuing his decease, another shall be chosen to supply his place for the remaining time he was to have served, and no longer.

Third. That after the first seven years every one of the said third parts that goeth yearly off, shall be incapable of being chosen again for one whole year following; that so all that are capable and qualified as aforesaid, may be fitted for government and have a share of the care and burden of it.

Fourth. That the provincial Council in all cases and matters of moment, as their arguing upon bills to be passed into laws, or proceedings about erecting of courts of justice, sitting in judgment upon criminals impeached, and choice of officers in such manner as is herein after expressed, not less than two thirds of the whole shall make a quorum, and that the consent and approbation of two thirds of that quorum shall be had in all such cases or matters of moment: and that in all cases and matters of lesser moment, one third of the whole shall make a quorum the majority of which shall and may always determine in such cases and causes of lesser moment.

Fifth. That the Governor and provincial Council shall have the power of preparing and proposing to the Assembly hereafter mentioned, all bills which they shall see needful, and that shall at any time be past into laws, within the said province and territories thereof, which bills shall be published and affixed to the most noted place, in every county of this province and territories thereof, twenty days before the meeting of the Assembly in order to passing them into laws.

Sixth. That the Governor and provincial Council shall take care that all laws, statutes and ordinances, which shall at any time be made within the said province and territories be duly and diligently executed.

Seventh. That the Governor and provincial Council shall at all times have the care of the peace and safety of this province and territories thereof; and that nothing be by any person attempted to the subversion of this frame of government.

Eighth. That the Governor and provincial Council shall at all times settle and order the situation of all cities and market towns in every county, modelling therein all public buildings, streets and market places; and shall appoint all necessary roads and highways in this province and territories thereof.

Ninth. That the Governor and provincial Council shall at all times have power to inspect the management of the public treasury, and punish those who shall convert any part thereof to any other use than what hath been agreed upon by the Governor, provincial Council and Assembly.

Tenth. That the Governor and provincial Council shall erect and order all public schools, and encourage and reward the authors of useful sciences and laudable inventions in the said province and territories thereof.

Eleventh. That one third part of the provincial Council residing with the Governor from time to time, shall with the Governor have the care of the management of public affairs relating to the peace, justice, treasury and improvement of the province and territories and to the good education of youth, and sobriety of the manners of the inhabitants therein as aforesaid.

Twelfth. That the Governor or his Deputy shall always preside in the provincial Council, and that he shall at no time therein perform any public act of state, whatsoever, that shall or may relate unto the justice, trade, treasury or safety of the province and territories aforesaid, but by and with the advice and consent of the provincial Council thereof.

Thirteenth. And to the end, that all bills prepared and agreed by the Governor and provincial Council as aforesaid, may yet have the more full concurrence of the freemen of the province and territories thereof, it is declared, granted and confirmed, that at the time and place in every county for the choice of one person, to serve in provincial Council as aforesaid, the respective Members thereof, at their said meeting, shall yearly choose out of themselves six persons of most note for virtue, wisdom and ability, to serve in Assembly as their representatives, who shall yearly meet on the tenth day of the third month, in the capital town or city of the said Province, unless the Governor and provincial Council shall think fit to appoint another place to meet in, where during eight days, the several members may confer freely with one another; and if any of them see meet, with a committee of the provincial Council, which shall be at that time purposely appointed, to receive from any of them proposals for the alterations or amendments of any of the said proposed and promulgated bills, and on the ninth day from their so meeting, the said Assembly after their reading over the proposed bills, by the Clerk of the provincial Council, and the occasions and motives for them being opened by the Governor or his Deputy, shall upon the question by him put, give their affirmative or negative, which to them seemeth best in such manner as is hereafter expressed: but not less than two thirds shall make a quorum in the passing of all bills into laws, and choice of such officers as are by them to be chosen.

Fourteenth. That the laws so prepared and proposed as aforesaid, that are assented to by the Assembly, shall be enrolled as laws of this province and territories thereof, with this stile: *By the Governor with the assent and approbation of the freemen in provincial Council and Assembly met*, and from henceforth the meetings, sessions, acts and proceedings of the Governor, provincial Council and Assembly, shall be stiled and called: *The meetings, sessions and proceedings of the General Assembly of the Province of Pennsylvania and the territories thereunto belonging.*

Fifteenth. And that the representatives of the people in provincial Council and Assembly, may in after ages bear some proportion with the increase and multiplying of the people, the number of such representatives of the people, may be from time increased and enlarged, so as at no time the number exceed seventy-two for the provincial Council, and two hundred for the Assembly; the appointment and proportion of which number, as also the laying and methodizing of the choice of such representatives in future time, most equally to the division of the country, or number of the inhabitants is left to the Governor and provincial Council to propose, and the Assembly to resolve, so that the order of proportion be strictly observed, both in the choice of the Council and the respective committees thereof, viz: one third to go off, and come in yearly.

Sixteenth. That from and after the death of this present Govervor, the provincial Council shall, together with the succeeding Governor, erect from time standing courts of justice, in such places and number as they shall judge convenient, for the good government of the said province and territories thereof; and that the provincial Council shall, on the thirteenth day of the second month then next ensuing, elect and present to the Governor or his deputy, a double number of persons to serve for judges, treasurers, and master of the rolls, within the said province and territories, to continue so long as they shall well behave themselves in those capacities respectively; and the freemen of the said province in an Assembly met, on the thirteenth day of the third month, yearly shall elect and then present to the Governor or his deputy a double number of persons to serve for sherifs, justices of the peace and coroners for the year next ensuing, out of which respective elections and presentments the Governor or his deputy shall nominate and commissionate the proper number for each office, the third day after the said respective presentments, or else the first named in such presentment, for each office as aforesaid shall stand and serve in that office the time before respectively limited, and in case of death or default, such vacancy shall be supplied by the Governor and provincial Council in manner aforesaid.

Seventeenth. That the Assembly shall continue so long as may be needful to impeach criminals, fit to be there impeached to pass such bills into laws as are proposed to them, which they shall think fit to pass into laws, and till such time as the Governor and provincial Council shall declare, that they have nothing further to propose unto them for their assent and approbation, and that declaration shall be a dismiss to the Assembly for that time, which Assembly shall be notwithstanding, capable of assembling together upon the summons of the Governor, and provincial Council, at any time during that year, if the Governor and provincial Council shall see occasion for their so assembling.

Eighteenth. That all the elections of members or representatives of the people, to serve in provincial Council and Assembly, and all questions to be determined by both or either of them, that relate to choice of officers and all, or any other personal matters, shall be resolved or determined by the *ballot*, and all things relating to the preparing and passing of bills into laws, shall be openly declared and resolved by the vote.

Nineteenth. That at all times when the proprietary and Governor shall happen to be an infant and under the age of one and twenty years, and no guardians or commissioners are appointed in writing, by the father of the said infant, or that such guardian shall be deceased, that during such minority, the provincial Council shall from time to time, as they shall see meet, constitute and appoint guardians and commissioners not exceeding three; one of which shall preside as deputy and chief guardian during such minority, and shall have and execute with the consent of one of the other two, all the power of a Governor in all public affairs and concerns of the said province and territories thereof, according to charter; which said guardian so appointed, shall also have the care and oversight of the estate of the said minor and be yearly accountable and responsible for the same to the provincial Council, and the provincial Council to the minor when of age, or to the next heir, in case of the minors death, for the trust before expressed.

Twentieth. That as often as any days of the month mentioned in any article of this charter shall fall upon the first day of the week, commonly called the Lord's day, the business appointed for that day shall be deferred until the next day, unless in cases of emergency.

Twenty-first. And for the satisfaction and encouragement of all aliens, I do give and grant, that if any alien who is or shall be a purchaser, or who doth or shall inhabit in this province or territories thereof, shall decease at any time before he can well be naturalized, his right and interest therein shall notwithstanding descend to his wife and children, or other his relations be he testate or intestate, according to the laws of this province and territories thereof in such cases provided, in as free and ample manner to all intents and purposes as if the said alien had been naturalized.

Twenty-second. And that the inhabitants of this province and territories thereof, may be accommodated with such food and sustenance as God in his providence hath freely afforded. I do also further grant to the inhabitants of this province and territories thereof, liberty to fowl and hunt upon the lands they hold, and all other lands therein not inclosed; and to fish in all waters in the said lands, and in all rivers and rivulets, in and belonging to this province and territories thereof, with liberty to draw his or their fish on shore on any mans lands, so as it be not to the detriment or annoyance of the owner thereof, except such lands as do lie upon inland rivulets that are not boatable, on which are or may be hereafter erected into manors.

Twenty-third. And that all the inhabitants of this province and territories thereof, whether purchasers or others may have the last wordly pledge of my good and kind intentions to them and theirs, I do give, grant and confirm to all and every one of them, full and quiet possession of their respective lands, to which they have any lawful or equitable claim, saving only such rents and services for the same, as are or customarily ought to be reserved to me, my heirs or assigns.

Twenty-fourth. That no act, law or ordinance whatsoever, shall at any time hereafter be made or done by the proprietary and Governor of this province and territories thereunto belonging, his heirs or assigns, or by the freemen in provincial Council or Assembly, to alter, change or diminish the form or effect of this charter, or any part or clause thereof, contrary to the true intent and meaning thereof, without the consent of the proprietary and

Governor, his heirs or assigns, and six parts of seven of the said freemen in provincial Council and Assembly met.

And lastly. I the said William Penn, proprietary and Governor of the province of Pennsylvania and territories thereunto belonging, for me, my heirs and assigns, have solemly declared, granted and confirmed, and do hereby solemnly declare, grant and confirm, that neither I, my heirs nor assigns, shall procure or do any thing or things whereby the liberties in this Charter contained and expressed, shall be infringed or broken, and if any thing be procured by any person or persons, contrary to these premises, it shall be held of no force or effect. In witness whereof, I, the said William Penn, at Philadelphia, in Pennsylvania, have unto this present charter of liberties, set my hand and broad seal, this second day of the second month, in the year of our Lord one thousand six hundred eighty and three, being the five and thirtieth year of the king and the third year of my government.

WILLIAM PENN.

This within charter, which we have distinctly heard read, and thankfully received, shall be by us inviolably kept, at Philadelphia, the second day of the second month, one thousand six hundred eighty and three.

The members of the Provincial Council present:

William Markham,
John Moll,
William Haige,
Christopher Taylor,
John Simcock,
William Clayton,
Francis Whitwell,
Thomas Holme,
William Clark,
William Biles,
James Harrison,
John Richardson,
Philip Thomas Lenmar,
Secr. Gov.
Richard Ingelo, Cl. Coun.

The members of the Assembly present:

Casparus Harman,
John Darby,
Benjamin Williams,
William Guest,
Valentine Hollingsworth,
James Boyden,
Bennony Bishop,
John Beazor,
John Harding,
Andrews Bringston,
Simon Irons,
John Wood,
John Curtis,
Daniel Brown,
William Futcher,
Thomas Hassald,
John Hart,
Robert Hall,
Robert Bedwell,
William Simsmore,
Samuel Darke,
Robert Lucas,
James Williams,
John Blunston,
John Songhurst,
John Hill,
Nicholas Waln,
Thomas Fitzwater,
John Clows,
Luke Watson,

John Kipshaven,
Alexander Molestine,
Robert Bracy, Senior.
Thomas Bracy,
William Yardly,
John Hastings,
Robert Wade,
Joseph Phipps,
Dennis Rotchford,
John Brinklair,
Henry Bowman,
Cornelius Verhoofe.
John Southworth, Cl. Synod.

Some of the inhabitants of Philadelphia present:

William Howell,
Edmund Warner,
Henry Lewis,
Samuel Miles.

No. IX.

THE FRAME OF THE GOVERNMENT

Of the Province of Pennsylvania and the territories thereunto belonging, passed by Governor Markham, November 7, 1696.

Whereas, the late King Charles the Second, in the three and thirtieth year of his reign, by letters patent under the great seal of England, did for the considerations therein mentioned, grant unto William Penn, his heirs and assigns for ever, this colony, or tract of land, thereby erecting the same into a province called Pennsylvania, and constituting him the said William Penn, absolute proprietary thereof, vesting him, his deputies and lieutenants, with divers great powers, pre-eminencies, royalties, jurisdictions and authorities, necessary for the well-being and good government of the said province. And whereas, the late Duke of York and Albany, &c., for valuable considerations, did grant unto the said William Penn, his heirs and assigns, all that tract of land, which hath been cast or divided into three counties, now called Newcastle, Kent and Sussex, together with all royalties, franchises, duties, jurisdictions, liberties and privileges thereunto belonging; which last mentioned tract being intended as a beneficial and requisite addition to the territory of the said proprietary and Governor, at the request of the freemen of the said three counties, by their deputies in Assembly mett, with the representatives of the freemen of the said province at Chester, alias Upland, on the sixth day of the tenth month, 1682, did (with the advice and consent of the members of the said Assembly) enact, that the said three counties should be annexed to the province of Pennsylvania, as the proper territories thereof; and whereas, king William and the late queen Mary, over England, &c., by their letters patent and commission under the great seal of England, dated the twenty-first day of October, in the fourth year of their reign, having (for the reasons therein mentioned) taken the government of this said province and territories into their hands, and under their care and protection, did think fit to constitute Benjamin Fletcher, Governor of New York, to be their Captain General and Governor in Chief over this province and country. And whereas, also the said king and queen, afterwards by their letters patent, under the great seal of England, dated the twentieth day of August, in the sixth year of their reign, have thought fit upon the humble application of the said William Penn, to restore them to the administration of the government of the said province and territories, and that so much of their said commission, as did constitute the said Benjamin Fletcher, their Captain General and Governor in Chief of the said province of Pennsylvania, country of Newcastle, and the territories and tracts of land depending thereupon, in America, together with all the powers and authorities thereby granted, for the ruling and governing their said province and country, should from the publication of the said last recited letters patent cease, determine and become void, and accordingly the same are hereby declared void; whereupon, the said William Penn, did commissionate his kinsman William Markham, Governor under him, with directions to act according to the known laws and usages of this government.

Now, forasmuch as the former frame of government, modelled by act of settlement and charter of liberties, is not deemed in all respects suitably accommodated to our present circumstances; therefore it is unanimously desired, that it may be enacted, And be it enacted by the Governor aforesaid, with the advice and consent of the representatives of the freemen of the said province and territories in Assembly met, and by the authority of the same, that this government shall from time to time consist of the Governor or his deputy or deputies, and the freemen of the said province and territories thereof, in form of a Council and Assembly; which Council and Assembly shall be men of most note for virtue, wisdom and ability; and shall from and after the tenth day of the first month next, consist of two persons out of each of the counties of this government, to serve as the peoples representatives in Council; and of four persons out of each of the said counties, to serve as their representatives in Assembly; for the electing of which representatives, it shall and may be lawful to, and for all the freemen of this province and territories aforesaid, to meet together on the tenth day of the first month yearly hereafter, in the most convenient and usual place for election, within the respective counties, then and there to choose their said representatives as aforesaid, who shall meet on the tenth day of the third month, yearly, in the capital town of the said province, unless the Governor and Council shall think fit to appoint another place.

And to the end, it may be known who those are in this province and territories, who ought to have right of or to be deemed freemen, to choose or be chosen to serve in Council and Assembly as aforesaid; Be it enacted by the authority aforesaid, That no inhabitant of this province or territories, shall have right of electing or being elected as aforesaid, unless they be free denizens of this government, and are of the age of twenty one years or upwards, and have fifty acres of land, ten acres whereof being seated and cleared, or be otherwise worth fifty pounds lawful money, of this government clear estate, and have been resident within this government for the space of two years next before such election.

And whereas, divers persons within this government, cannot for conscience sake, take an oath upon any account whatsoever; Be it therefore enacted, by the authority aforesaid, That all and every such person and persons, being at any time hereafter required upon any lawful occasion to give evidence, or take an oath, in any case whatsoever, shall, instead of swearing, be permitted to make his or their solemn affirmation, attest or declaration, which shall be adjudged, and is hereby enacted and declared to be of the same force and effect to all intents and purposes whatsoever, as if they had taken an oath, and in case any such person or persons shall be lawfully convicted of having wilfully and corruptly affirmed or declared, any matter or thing, upon such solemn affirmation or attest, shall incur the same penalties and forfeitures, as by the laws and statutes of England are provided against persons convicted of wilful and corrupt perjury.

And be it further enacted by the authority aforesaid, That all persons who shall be hereafter, either elected to serve in Council and Assembly, or commissionated or appointed to be Judges, Justices, Masters of the Rolls, Sheriffs, Coroners, and all other officers of state and trust, within this government, who shall conscientiously scruple to take an oath, but when lawfully required, will make and subscribe the declaration and profession of their Christian belief, according to the late act of parliament, made in the first year of King William, and the late queen Mary, entitled, An act for exempting their majesties Protestant subjects, dissenting from the Church of England, from the penalty of certain laws, shall be adjudged, and are hereby declared to be qualified to act in their said respective offices and places, and thereupon, the several officers herein mentioned, shall instead of an oath, make their solemn affirmation or declaration, in manner and form following, that is to say:

The form of Judges and Justices, attest shall be in these words, viz:

Thou shalt solemnly promise that as Judge, or Justice, according to the Governors commission to thee directed, thou shalt do equal right to the poor and rich, to the best of thy knowledge and power, according to law, and after the usages and constitutions of this government, thou shalt not be of council of any matter or cause depending before thee, but shall well and truly do thy office in every respect, according to the best of thy understanding.

The form of the attests to be taken by the Masters of the Rolls, Secretaries, Clerks and such like officers, shall be thus, viz:

Thou shalt well and faithfully execute the office of, &c., according to the best of the skill and knowledge; taking such fees only, as thou oughtest to receive by the laws of this government.

The form of the Sheriffs and Coroners attest, shall be in these words, viz:

Thou shalt solemnly promise, that thou wilt well and truly serve the King and Governor, in the office of the Sheriff, (or Coroner) of the county of &c., and preserve the King and Governors rights, as far forth as thou canst, or mayest; thou shalt truly serve and return, all the writs and precepts to the directed; thou shalt take no bailiff nor deputy, but such as thou wilt answer for; thou shalt receive no writs, except from such Judges and Justices who by the Laws of this government, have authority to issue and direct writs unto thee; and thou shalt diligently and truly do and accomplish all things appertaining to thy office, after the best of thy wit and power, both for the King and Governor's profit, and good of the inhabitants within the said county, taking such fees only as thou oughtest to take by the laws of this government and not otherwise.

The form of a Constable's attest shall be this, viz:

Thou shalt solemnly promise well and duly, according to the best of thy understanding, to execute the office of a Constable for the town (or county) of P., for this ensuing year, or until another be attested in thy room, or thou shalt be legally discharged thereof.

The form of the Grand Inquests attests shall be in these words, viz:

Thou shalt diligently enquire, and true presentment make of all such matters and things as shall be given thee in charge, or come to thy knowledge, touching this present service, the Kings counsel, thy fellows and thy own, thou shalt keep secret, and in all things thou shalt present the truth, and nothing but the truth, to the best of thy knowledge.

This being given to the Foremen, the rest of the Inquest shall be attested thus, by three at a time, viz:

The same attestation that your foreman hath taken on his part, you will well and truly keep on your parts.

The form of the attest to be given to the Traverse Jury, by four at a time, shall be thus, viz:

You solemnly promise that you will well and truly try the issue of traverse, between the Lord, the King, and A. B., whom you have in charge, according to your evidence.

In civil causes thus, viz:

You solemnly promise that you will well and truly try the issue between A. B. plaintiff, and C. D. defendant, according to your evidence.

Provided always, and it is hereby intended, that no person shall be by this act excused from swearing, who by the acts of parliament for trade and navigation, are or shall be required to take an oath.

And that elections may not be corruptly managed, on which the good of the government so much depends; Be it further enacted, by the authority aforesaid, That all elections of the said representatives shall be free and voluntary, and that the electors who shall receive any reward or gift for giving his vote, shall forfeit his right to elect for that year; and such person or persons, as shall give or promise any such reward to be elected, or that shall offer to serve for nothing, or for less wages than the law prescribes, shall be thereby rendered incapable to serve in Council or Assembly for that year; and the representatives so chosen, either for Council or Assembly, shall yield their attendance accordingly, and be the sole judges of the regularity or irregularity of the elections of their respective members; and if any person or persons, chosen to serve in Council or Assembly, shall be wilfully absent from the service, he or they are so chosen to attend, or be deceased, or rendered incapable then, and in all such cases, it shall be lawful for the Governor within ten days after knowledge of the same, to issue forth a writ to the Sheriff of the county, for which the said person or persons, were chosen, immediately to summons the freemen of the same to elect another member in the room of such absent, deceased, or incapable person or persons: and in case any Sheriff shall misbehave himself in the management of any of the said elections, he shall be punished accordingly, at the discretion of the Governour and Council, for the time being.

Be it further enacted, by the authority aforesaid, That every member now chosen, or hereafter to be chosen, by the freemen as aforesaid, to serve in Council, and the Speaker of the Assembly, shall be allowed five shillings by the day during his and their attendance; and every member of Assembly shall be allowed four shillings by the day, during his attendance on the service of the Assembly; and that every Member of Council and Assembly shall be allowed towards their travelling charges, after the rate of two pence each mile, both going to and coming from the place where the Council and Assembly is, or shall be held; all which sums shall be paid yearly out of the county levies, by the county receivers respectively.

And be it further enacted by the authority aforesaid, That the Governor or his Deputy shall always preside in the Council, and that he shall at no time perform any public act of state whatsoever, that shall or may relate unto the justice, treasury or trade of the province and territories, but by and with the advice and consent of the Council thereof, or major part of them that shall be present.

And be it further enacted, by the authority aforesaid, That all the Sheriffs and Clerks of the respective counties of the said province and territories, who are, or shall be commissionated, shall give good and sufficient security to the Governor, for answering the King and his people, in matters relating to the said offices respectively.

And be it further enacted, by the authority aforesaid, That the Council in all cases and matters of moment, as about erecting courts of justice, sitting in judgement upon persons impeached, and upon bills and other matters, that may be from time to time presented by the Assembly; not less than two thirds shall make a quorum, and that the consent and approbation of the majority of that quorum, shall be had in all such cases and matters of moment, and that in cases of less moment, not less than one third of the whole shall make a quorum; the majority of which shall and may always determine in all such matters of lesser moment, as are not above specified; and in case the Governors power shall hereafter happen to be in the Council, a President shall then be chosen out of themselves, by two thirds or the major part of them, which President shall therein preside.

Be it further enacted, by the authority aforesaid, That the Governor and Council shall take care that all the laws, statutes and ordinances, which shall at any time be made within the said province and territories, be duly and diligently executed.

Be it further enacted, by the authority aforesaid, That the Governor and Council shall at all times have the care of the peace of this province and territories thereof, and that nothing be by any persons attempted to the subversion of this frame of government.

And be it further enacted by the authority aforesaid, That the Governor and Council, for the time being shall at all times settle and order the situation of all cities and market towns, modelling therein all public buildings, streets and market places; and shall appoint all public landing places of the towns of this province and territories: and if any mans property shall be judged by the Governor and Council, to be commodious for such landing place in the said towns, and that the same be by them appointed as such, that the owner shall have such reasonable satisfaction given him for the same, as the Governor and Council shall see meet, to be paid by the said respective towns.

Be it further enacted, by the authority aforesaid, That the Governor and Gouncil shall at all times have power to inspect the management of the public treasury, and punish those who shall convert any part thereof to any other use than what hath been agreed upon by the Governor, Council and Assembly.

Be it further enacted, by the anthority aforesaid, That the Governor and Council shall erect, and order all public houses, and encourage and reward the authors of useful sciences and laudable inventions in the said province and territories thereof.

And be it further enacted, by the authority aforesaid, That the Governor and Council shall from time to time have the care of the management of all public affairs, relating to the peace, safety, justice, treasury, trade and improvement of the province and territories, and to the good education of youth, and sobriety of the manners of the inhabitants therein, as aforesaid.

And be it further enacted by the authority aforesaid, That the representatives of the freemen, when met in Assembly, shall have power to prepare and propose to the Governor and Council, all such bills as they or the major part of them shall at any time see needful to be passed into laws, within the said province and territories.

Provided always that nothing herein contained shall debar the Governor and Council from recommending to the Assembly, all such bills as they shall think fit to be passed into laws; and that the Council and Assembly may, upon occasion, confer together in committees when desired; all which proposed and prepared bills, or such of them as the Governor with the advice of the Council shall in open Assembly declare his assent unto, shall be the laws of this province and territories thereof, and published accordingly with this stile: *By the Governor, with the assent and approbation of the freemen in General Assembly met;* a true transcript or duplicate whereof shall be transmitted to the kings privy council for the time being, according to the said late kings letters patent.

And be it further enacted, by the authority aforesaid, That the Assembly shall sit upon their own adjournments, and committees, and continue in order to prepare and propose bills, redress grievances, and impeach criminals, or such persons as they shall think fit to be there impeached, until the Governor and Council for the time being shall dismiss them; which Assembly shall notwithstanding such dismiss, be capable of assembling together upon the summons of the Governor and Council, at any time during that year; two thirds of which Assembly, in all cases, shall make a quorum.

And be it enacted, by the authority aforesaid, That all elections of representatives, for Council and Assembly, and all questions to be determined by them, shall be by the major part of votes.

Be it further enacted, by the authority aforesaid, That as oft as any days of the month mentioned in any article of this act, shall fall upon the first day of the week, commonly called the Lords day, the business appointed for that day, shall be deferred till the next day, unless in cases of emergency.

Be it further enacted, by the authority aforesaid, That if any alien, who is or shall be a purchaser of lands, or who doth, or shall inhabit in this province, or territories thereof, shall decease at any time before he can well be denizised, his right and interest therein shall, notwithstanding, descend to his wife and children, or other his relations, be he testate or intestate, according to the laws of this province and territories thereof, in such cases provided, in as free and ample manner, to all intents and purposes, as if the said alien had been denizised.

And that the people may be accommodated with such food and sustenance, as God in his providence hath freely afforded; Be it enacted, by the authority aforesaid, That the inhabitants of this province and territories thereof, shall have liberty to fish and hunt upon the lands they hold, or all other lands therein, not enclosed, and to fish in all waters in the said lands, and in all rivers and rivulets, in and belonging to this province and territories thereof, with liberty to draw his or their fish upon any mans land, so as it be not to the detriment or annoyance of the owner thereof, except such lands as do lie upon inland rivulets, that are not boatable, or which hereafter may be erected into manors.

Be it further enacted, by the authority aforesaid, That all inhabitants of this province and territories, whether purchasers or others, and every one of them shall have full and quiet enjoyment of their respective lands and tenements, to which they have any lawful or equitable claim, saving only such rents and services for the same, as are or customarily ought to be reserved to the lord or lords of the fee thereof respectively.

Be it further enacted, by the authority aforesaid, That no act, law, or ordinance whatsoever, shall at any time hereafter, be made or done by the Governor of this province and territories thereunto belonging, or by the freemen in Council or Assembly, to alter, change or diminish the form and effect of this act, or any part or clause thereof, contrary to the true intent and meaning thereof, without the consent of the Governor, for the time being; and six parts of seven of the said freemen in Council and Assembly met. This act to continue and be in force, until the said Proprietary shall signify his pleasure to the contrary, by some instrument under his hand and seal in that behalf.

Provided always, and it is hereby enacted, That neither this act, nor any other act or acts whatsoever, shall preclude or debar the inhabitants of this province and territories, from claiming, having and enjoying, any of the rights, privileges and immunities, which the said Proprietary for himself, his heirs and assigns, did formerly grant, or which of right belong unto them the said inhabitants by virtue of any law, charter or grants whatsoever, any thing herein contained to the contrary, notwithstanding.

The originals of the following named documents are not in the office of the Secretary of the Commonwealth, viz:

Certain conditions and concessions agreed upon by William Penn and the first adventurers and purchasers in Pennsylvania.

The Frame of the Government of the Province of Pennsylvania. together with certain laws agreed upon in England.

The Frame of Government granted in 1683.

The Frame of government passed by William Markham in 1696.

IOVRNAL

OF THE

COUNCELL OF THE PROVINCE OF PENSILVANIA,

AND

TERRITORIES THERE-UNTO BELONGING.

Att a councell held att Philadelphia the 10th of the first[*] Month, 1682-3.

PRESENT:

WM. PENN, Proprietery and Governer of Pensilvania, and territories annexed.

Capt. Wm. Markham,
Christo. Taylor,
Thomas Holmes,
Lasse Cock
Wm. Clarke,
Jno. Hilliard,
Wm. Haigee,
Jno. Moll,
Ralph Withers
Jno. Simcox,
ffrancis Whitwell,
Edm^{d} Canholl,
Wm. Clayton,
Wm. Biles,
James Harison,
Jno. Richardson.

Then the Sherifs of each County were called in, viz':

ffor the county of Philadelphia,	John Tost.
ffor the county of Chester,	Thomas Usher.
ffor the county of Bucks,	Richard Noble.
ffor the county of New Castle,	Edm^{d} Canholl.
ffor the county of Kent,	Peter Bawcomb.
ffor the county of Sussex,	John Vines.

The Governer ordered that one speak at a time, standing up, w^{h} his face to the chair.

A debate being about the balloting box, the question was putt whether the Ballot should be used in all cases? Past in y^{e} negative.

The Question being putt whether they would have the ballot in all personall matters? resolved in the affirmative.

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[*] By the 41st Chapter of the acts of the first General Assembly of Pennsylvania, passed December 7th, 1682, it will appear that the first settlers of this state began the year on the first of March. The following is an accurate copy of the chapter referred to:

And bee it Enacted by the Authority afores^{d} that y^{e} days of y^{e} week & y^{e} months of y^{e} year, Shall be called as in Scripture, & not by Heathen names, (as are vulgarly used,) as y^{e} first, Second & Third daies of y^{e} week, and first Second & Third months of y^{e} year. begining with y^{e} day called Sunday, & y^{e} month called March.

The Question being putt whether all Bills should be past into the Laws by Vote, resolved in the affirmative.

The Returns of the Sherifs being read, wth the Peticons and Addresses of the ffreemen to the Governer, and finding therein that the People have amply vested their 12 Deligates out of each county wth power to act as the Provinciall Councelours & Generall Assembly, and it being proposed to the elected members aforesaid if they were chosen to serve in both those capacities, they answered they were: That is to say, three of each Twelve for the Provinciall Councill, and the remaining Nine of each Twelve to constitute the Generall Assembly, according to the returnes.

After the reading of the Returnes & Peticons, the Charter of Liberties was read.

Wch requiring a greater number then was chose to serve in Provinciall Councill & Generall Assembly, yet left to be explained and confirmed by the Governer, his heirs and assigns, and the Freemen of this Province and Territories in Provincall Councill and Assembly mett, the Deputies of the ffreemen in Provll Councell and Assembly do think the reason allaidged in the Sherifs Returnes & Peticons of the ffreemen for not Chuseing more than 12 to serve in Provll Councill and General Assembly, are sufficient, and that the seventy two now chosen & returned have in them the Power of the whole Freemen of this Province and Territories thereunto belonging, and so capable of serving as a provinciall councill & Genrall Assembly. A member moving that the Governr may be desired that this alteration may not hinder ye people from the benefit of this Charter, because it seems thereby to be returned to him again by not being accepted as Largely as Granted. The Governer answered, they might amend, alter, or add for the Publick good, and that he was ready to settle such Foundations as might be for their happiness and the good of their Posterities, according to ye powers vested in him. The Numbers to be increased by the Governr & Councill, Freemen in Provll Councill and Assembly mett.

Vpon the whole matter the Assembly went to chuse a Speaker.

Adjourned till ye 12th 1st Mo. 1683.

Att a Councill held at Philadelphia the 12th of yr 1st Mo. 1683.

PRESENT:

Wm. PENN, Propry & Governr of Pensilvania & Counties annexed.

Capt. Wm. Markham,
Christo. Taylor,
Capt. Tho. Holmes,
Jno. Simcox,
Lasse Cock,
Wm. Haigee,
Jno. Moll,
Edmd Cantwell,
Wm. Clayton,
Wm. Biles,
Jam. Harrison,
Wm. Clarke,
Fran. Whitwell,
Jno. Richardson,
Jno. Hilliard,
Ralph Withers.

It being reported to the Governr & Councill by several members of it, that Nicholas Moore, President to ye society of free Traders in this province, took occasion in company in a publick house, to vtte those words agt the Proceedings of the Governr, Provll Councill & Assembly, as that they have this day broken the Charter, & therefore all that you do will come to Nothing, & that hundreds in England will curse you for what you have done, & their children after them, and that you may hereafter be impeacht for Treason for what you do: Whereupon, the Governr and Councill did order that Nicholas Moore should appeare before them. He accordingly did appeare, & being charg'd with such Discourse, said that he spoke rather by Query then assertion, and if he had said as it was represented, he had been too blame indeed, but he said that he spake not wth such an Intent: however, his Discourse being unreasonable and imprudent, he was exhorted to prevent the like for the future.

Adjourned till 13th 1st Mo., 83.

At a Councill held att Philadelphia, ye 13th of ye 1st Mo. 1683.

PRESENT:

WM. PENN, propry & Governr of Pennsylvania & Countys annexed.

Capt. Wm. Markham,
Capt. Thomas Holmes,
Wm. Clarke,
Wm. Haige,
Christo. Taylor,
James Harrison,
Jno. Halliard,
Wm. Clayton,
Wm. Biles,
Edmd Cantwell,
John Simcox,
John Moll,
John Richardson,
Francis Whitwell,
Lasse Cock,

Wm. Haige desiring leave to be absent this Day, it was granted him. Thomas Wynn, Speaker, accompanied wth Thomas Bracey & Wm. Yardley, members of ye Assembly, came in ye name of the whole Assembly, to desire a conference with ye Governr, which the Governour and Councill yields to.

The Result was Vizt:

That Twelve makes a Quorum in all businesses relating to the former part of the fifth and Sixth articles of the Charter relating to the latter part of the same Article. That during the present infancy of things, that the business of four comittees in the 13th Article, be performed by the Councill for the time being, in such way and manner as their numbers will give leave. Whereas, it is said in the 7th Article of the Charter, that the Governr and provll Councill shall prepare & propose to the Genll Assembly all bills that they shall at any time think fitt to be past into Laws within ye said province & Territories: It be added, provided they are not inconsistent with the powers granted by the King's Letters Pattent's.

Adjourned till 14th 1st Mo., 83.

Att a Councill held at Philadelphia ye 14th of ye 1st Mo., 1683.

PRESENT:

Wm. PENN, properyy and Governr of Pensilvania & countys annexed.

Capt. Wm. Markham,
Capt. Thom: Holmes,
Christ: Taylor,
Jam: Harrison,
Lasse Cock,
Edmd Cantwell,
Wm. Clayton,
Jno. Simcox,
Ralph Withers,
Wm. Haige,
Wm. Biles,
Fran. Whitwell,
Jno. Moll,
Jno. Richardson,
Jno. Hilliard,
Wm. Clarke.

The Provll Councill resolved into a Grand Comittee, whilst ye Govr retired vpon urgent business. Capt. Wm. Markham, Chairman: they recd & read sevrall petieons, but referred their answer to ye Councill.

Adjourned till two of the Clock in the afternoon.

POST MERIDIEM.

A Peticon of Peter Isgoe and Abraham Mann read, was referred to the County Court.

The Peticon of Geo: Oldfield & his wife read and referred to the County Court, where the Land mencioned in the Pat: lyes.

The Peticon of Abraham Mann, John Tost & Jno. Vines, Sherifs, about Establishment for their fees, was read, & Ordered that a Table of Fees should be forthwith established.

The Peticon of John Day read, and will be considered amongst other things.

The Peticon of the Inhabitants of Duck Creek, about the Cutting of the way through the Marsh for Vessels to pass, was referred to the County Court in which the same doth lye.

Adjourned till 15th 1st Mo., 83.

Att a Councill held att Philadelphia, ye 15th of ye 1st Mo., 1683.

PRESENT:

Wm. PENN, Propry & Governr of Pensilvania & Countys annexed.

Capt. Wm. Markham,
Capt. Tho. Holmes,
Capt. Edmd Cantwell,
Ralph Withers,
Christo. Taylor,
Jno. Simcox,
Jam: Harison,
Jno. Hilliard,
Jno. Richardson,
Wm. Clark,
Jno. Moll,
Wm. Clayton,
Francis Whitwell.

Ordered that John Richardson pay five shillings for being disored in Drink, and be reproved.

The Question being putt whether the Governr should have power to Secure himself, his heirs and Assigns, It was resolved in the Affirmative.

The Question being putt whether two of ye members of this Councill should go to ye house of Assembly to have a Conference about it, resolved in the affirmative.

A Conference was held wth the assembly & they withdrew to consider of it, and Returned this answer by the Speaker.

And John Cann that the Assembly have Nemine Contradicente agreed that all Laws Should be prepared & proposed by the Governr & Councill.

Adjourned till three of the Clock in the afternoon.

POST MERIDIEM.

The Governour yet again offering that if they had any other Expedient yet to offer or propose, they might, though they had agreed to it in the morning, and after some consideraeon it was putt to ye Question whether an Other Expedient could be found out more seaf to the Governr & people; past in the negative. It was resolved (none dissenting) that the words Jointly assenting should be added to that part of the bill relating to the article of the charter.

Thomas Pearce's Peticon concerning a Sloope he bought for the service of the Society was read, and his allegation not being proved, the matter fell.

Adjourned untill ye 16th of ye 1st Mo., 83.

At a Councill held at Philadelphia ye 16th of ye 1st Mo., 1683.

PRESENT:

WM. PENN, Propery and Governr of Pensilvania & Countys Annexed.

Capt. Wm. Markham,
Christo. Taylor,
Jam: Harrison,
Wm. Clarke,
John Simcox,
Jno. Moll,
Edmd Cantwell,
Wm. Biles,
Wm. Clayton,
Ralph Withers,
ffran. Whitwell,
Jno. Hilliard,
Jno. Richardson,
Wm. Haige,
Lasse Cock.

A Letter recd from Nicholas Moore, President of the Society, to ye Govr, Desiring that the Law agt Fornication might be explained not to extend to Servts, because the present penalty would be to the Master & Mrs., wherefore prayed some severe punishment may be Enacted more consistent wth the Mr. & Mrs. Interest.

These Bills were prepared and drawn up to pass into Laws:

A Bill for planting fflax and hemp.

A bill for building a house of Correction in each County, 24 foot by 16.

A bill to hinder the Selling of Servts into other provinces, and to prevent Runaways.

A bill about Passes.

A bill about burning woods and Marshes.

A bill to have Cattell marked & to Erect Bounds.

A bill about Fencing.

Three Comittees appointed to prepare bills for the Councill.

Capt. Wm. Markham,
Jno. Simcox,
Wm. Clarke.
Francis Whitwell,
John Halliard,

The paper of Proposalls from Kent County Comitted to them to putt into a Bill or bills.

James Harrison,
Christo: Taylor,
John Moll,
Ralph Withers,
Edmund Cantwell.

To whom it is referred to prepare bills about Prisons, Sowing of hemp and Flax, Runaways, Passes, Selling of Servts into other provinces, for Destroying Wolves, To raise Money, & a bill for Hogg stealers.

Wm. Clayton,
Wm. Haige,
Wm. Biles,
Jno. Richardson,
Thomas Holmes,
Lasse Cock.

To whom is refered the burning of woods and Marshes, to have Chattell marked, To erect Bounds of ffences.

Adjourned till 17th 1 Mo., 1683.

At a Councill held at Philadelphia ye 17th of ye 1st Mo., 1683.

PRESENT:

Wm. PENN, propery and Governr of Pensilvania and Countys Annexed.

Capt. Wm. Markham,
Wm. Haige,
Wm. Biles,
Wm. Clayton,
Capt. Tho: Holmes,
Capt. Lasse Cock,
Fran. Whitwell,
Christ: Taylor,
Jno. Simcox,
Jno. Moll,
Jam. Harison,
Jno. Hilliard,
John Richardson.

The Comittees presented several bills to the Councill, and adjourned till Three of ye Clock in the afternoon.

POST MERIDIEM.

The Speaker and the whole House of Assembly attended the Gover and Councill wth a Bill of Settlement, acquainting them that he was comanded by the whole house to let them know they had past the bill wth one Consent.

Adjourned till 19th of 1st Mo., 83.

At a Councill held at Philadelphia ye 19th of 1st Mo., 1683.

PRESENT:

Wm. PENN, propery and Governr of Pensilvania & Countys annexed.

Capt. Wm. Markham,
Capt. Tho. Holmes,
Jno. Simcox,
Jam. Harison,
Edmd Cantwell,
Wm. Biles,
Wm. Clayton,
Fran. Whitwell,
Jno. Hilliard,
Wm. Haige,
Jno. Richardson,
Wm. Clarke,
Lasse Cock,
Jno. Moll.

The Speaker with divers Members came, wth the bill of Settlement and divers amendments, wch were yielded to by the Governr & Councell.

Several Bills relating to Carried by order of Councell to the Assembly by Wm. Clarke and ffrancis Whitwell.

Several bills relating to carried by order of Councell to ye Assembly by Thomas Holmes & James Harrison.

The bill of Settlemt being amended, was returned to this Councill by two of the Members of ye Assembly; namely, Robert Wade & Griffith Jones.

The Petieon of the Mariners belonging to the Friends Adventure, Concerning their wages, was read, & Ordered yt they shall have a hearing to-morrow at three of ye Clock in the afternoon.

Adjourned till four of ye clock afternoon.

POST MERIDIEM.

Ordered that Wm. Clarke and John Moll, Compare the Fees of New York and Delaware, and make a report to this Councill.

Ordered that Capt. Edmd Cantwell and John Moll turn over the Duke's Laws, & give a Report proper for them to Consider on.

Adjourned till 20th 1st Mo., 83.

At a Councill held at Philadelphia ye 20th of 1st Mo., 1683.

PRESENT:

WM. PENN, Propery and Govr of Pensilvania & Countys annexed.

Tho. Holmes,
Jno. Moll,
Wm. Clayton,
Jno. Hilliard,
Wm. Clarke,
Jno. Richardson,
Wm. Haige,
Ja: Harrison,
Edmd Cantwell,
Fran. Whitwell,
Lasse Cock,
Jno. Simcox,
Wm. Biles,

Adjourned till three of ye Clock afternoon.

POST MERIDIEM.

The Speaker wth two of the members of the Assembly, attended the Govr and Councill wth several Bills that were sent up to them, after wch the Govr & Councill desired a Conference with the whole House & Freemen, about the Charter, and then the Question being asked by the Govr whether they would have the old Charter or a new one, they unanimously desired there might be a new one, wth the amendmts putt into a Law, wch is past.

The Peticon of Nathaniell Allen was read, shewing that he had sould a Servt to Henry Bowman, for Six hundred weight of beefe, wth ye hide & Tallow, & Six pounds sterl., which ye said Bowman delayed to pay ye said Petieoner, shewing likewise that ye said Henry Bowman & Walter Humphrey, hired a boat of the sd Petitioner only for one month, & kept ye same boat 18 weeks from ye petitioner, to his great prejudice; then it was ordered yt Wm. Clarke, John Simcox & James Harrison, should speak to Henry Bowman concerning this matter.

The Peticon of Jno. James, Timothy Metcalf & Tho. Lincey, Mariners, belonging to the Friends Adventure, was read, shewing that the Mr. of said ship deny'd to pay them their wages, being demanded according to contract made with them in England.

Ordered that John Tost, high Sherife of this County, bring the said Petieoners before the Gov^{er} and Councill to-morrow at Eight of y^{e} Clock in the morning.

Adjourned till 21st 1st Mo., 83.

Att a Councill held at Philadelphia y^{e} 21st of y^{e} 1st Mo., 1683.

PRESENT:

WM. PENN, propriet^{r}y & Gov^{er} of Pensilvania & Counties annexed.

Jno. Simcox,
Jam: Harison,
Capt. Tho. Holmes,
John Moll,
Jno. Richardson,
Jno. Hilliard,
Chris. Taylor,
Wm. Biles,
Fran. Whitwell,
Wm. Haige,
Edm^{d} Cantwell,
Lasse Cock,
Wm. Clarke.

The Seamen belonging to y^{e} Friends Adventure, viz^{t}: Jno. James, Timothy Metcalf and Thomas Lincey, were brought before the Gov^{r} & Councill, & were ordered for a tryall before them.

The Peticon of Jno. James for himself & in behalf of y^{e} rest of y^{e} said Ships Comp^{y} being read, requesting y^{t} they might be putt in capacity to address to y^{e} Gov^{r} & Councill, It was ordered they shall have a hearing, & vpon the hearing, it was Ordered by the Gov^{r} & Councill, that the Seamen should bring vp the goods Left at Vppland to Philadelphia, & y^{t} then the Gov^{r} and Councill will take care to order that y^{e} said Seamen be paid their wages.

Whereas, Edward Southerin is returned to serve in P. Councill for Sussex County, & that he hath not yet made his appearance to pform that Service, It is ordered by the Gov^{r} & Councill that he give his attendance forthwth in Councill att Philadelphia.

Comittees for proposing several Bills:

Jno. Simcox,
Wm. Clark,
Wm. Haige,
Edm^{d} Cantwell,

To whom it is referred to propose Bills concerning Rules of County Courts.
Bills of Exchange protested.
Possessions.
Publique affairs.
Sailors Wracks.
Act of Oblivion.
Scoulds.

Capt. Tho. Holmes,
Wm. Clayton,
Wm. Biles,
Jno. Richardson,

To whom it is referred to propose Bills Concerning:
To arrest Goods in case of Danger.

Limits of Courts in Criminal Causes.
Justices of the Peace to Marry People.
How farr Exectrs and Admrs are obliged to proceed, & how to pay.
Publique houses to credit no Vnresident for above 20s or else to loose it.
Not to remove his Neighbour's Landmark.
Punishmt for those yt shall presume to alter their Neighbours Eare or Brand Mark.

James Harrison,
Francis Whitwell,
Christo. Taylor,
Jno. Hilliard,
Jno. Moll.

To whom is referred to propose Bills for:
Hoggs to be Ringed.
Coroners to be established in each County.
Servants without Indentures to be judged wt shall be allowed them att ye Expiration of their times.
How to bind any over to the Peace.
Twice a year a Grand Jury.

Capt. Lasse Cock, desiring Leave of the Govr and Councill, to go about ye Societies' business, Leave was granted him.

Adjourned till four of ye Clock in ye afternoon.

Post Meridiem.

Griffith Jones and Thomas Fitchwater, came wth a written Message from the House of Assembly, Containing the thankful acknowledgmt of ye House to ye Govr for his kind Speech to them yesterday, gratefully embracing his Offers, proposing what they desired might inserted in the Charter. The several Comittees appointed to meet at Several Places.

Adjourned till 22d 1st Mo. 83.

Att a Councill held at Philadelphia ye 22d of ye 1st Mo. 1683.

PRESENT:

Wm. PENN, propery & Governr of Pensilvania and Countys annexed.

Capt. Wm. Markham,
Capt. Tho: Holmes,
Christo. Taylor,
Jam: Harison,
Wm. Biles,
Jno. Hilliard,
Wm. Clayton,
Wm. Clarke,
Wm. Haige,
Jno. Moll,
Edmd Cantwell,
Jno. Simcox,
Jno. Richardson,
Fran. Whitwell.

The Several Comittees brought in their Bills to the Councill to be considered of. Wm. Haige & Capt. Edmt Cantwell desired Leave for some time to go about their business, wch was granted them.

Several Bills relating to several Matters, carried by John Moll and James Harrison to the Assembly, by Order of the Governr & Councill.

Adjourned till 23d 1st Mo. 1683.

At a Councill held at Philadelphia ye 23d of ye 1st Mo., 1683.

PRESENT:

Wm. PENN, Proprietry and Governr of Pensilvania & Counties annexed.

Capt. Wm. Markham,
Capt. Tho: Holmes,
Christo: Taylor,
Wm. Clarke,
Fran: Whitwell,
James Harison,
Wm. Haige,
Jno. Moll,
Jno. Hilliard,
Wm. Clayton,
Wm. Biles,
Jno. Richardson,
Jno. Simcox,

Several Bills relating to carried by Tho: Holmes to the Assembly, by ordr of ye Govr and Councill.

The Law of Weights referred.

The Question was asked in Councill whether Peace Makers should sitt once a month.

It was proposed what should be the punishmt of Manslaughter.

Ordered that the Seal of Philadelphia be the Anchor;
of the County of Bucks a Tree and Vine;
of the County of Chester a Plow;
of the County of New Castle a Castle;
of the County of Kent three ears of Indian Corn;
of the County of Sussex one Wheat Sheaf.

Adjourned till 4 Clock in ye Afternoon.

POST MERIDIEM.

Several Bills relating to sent by Order of the Governr & Councill to ye Assembly by Thomas Holmes and Wm. Clark.

Bills relating to Weights and Measures sent by Order of the Governr & Councill to ye Assembly by Wm. Clayton & Jno. Hilliard.

Adjourned till 24th 1st Mo., 1683.

At a Councill held at Philadelphia ye 24th of 1st Mo., 1683.

PRESENT:

Wm. PENN, Propery and Governr of Pensilvania and Countys Annexed.

Capt. Tho: Holmes,
Wm. Haige,
Jno. Simcox,
Jno. Hilliard,
Jno. Moll,
Chr. Taylor,
Jam. Harrison,
Jno. Richardson,
Wm. Clayton,
Capt. Wm. Markham,
Wm. Clarke,
Fran: Whitwell,
Wm. Biles.

A Debate was held concerning Marriage, and Parents Disposing of Estates.

Wm. Haige desiring Leave to go about the Societies' business, it was granted him.

Several Bills relating to carried by Order of Govr & Councill to the Assembly by James Harrison and Christopher Taylor.

A Peticon of Jno. Tost for y^{e} paym^{t} of 120£ ster^{l} due from Griffith Jones being read, Ordered y^{t} James Harrison & Wm. Clarke this afternoon take up & make an end of the business.

A Peticon of Charles Pickering read.

Ordered he shall be heard the 26 Instant in y^{e} afternoon.

Several Bills ordered by the Govern^{r} & Councill to be carried to the Assembly by Wm. Biles and Jno. Richardson.

Adjourned till 26th 1 Mo., 83.

At a Councill held at Philadelphia y^{e} 26th 1st 1683.

PRESENT:

Wm. PENN, Prop^{ry} & Govern^{r} of Pensilvania and Countys Annexed.

Capt. Wm. Markham,
Wm. Haige,
Wm. Biles,
Wm. Clayton,
Chr. Taylor,
Wm. Clarke,
Capt. Tho. Holmes,
Jno. Simcox,
James Harison,
Jno. Hilliard,
Jno. Moll,
Jno. Richardson,
Francis Whitwell.

Ordered in Councill that Jno. Moll, Wm. Haige, Wm. Clarke, be a Comittee to bring their report to morrow morning of the Fees of Officers belonging to y^{e} Custom house.

Ordered in Councill that Wm. Biles, Francis Whitwell & James Harrison do consider of y^{e} Dutys and Fees of Coroners, and make their Report To morrow morning.

The Speaker with Three Members, came to this house with Several Bills.

The Councill ordered a Conference to be had wth y^{e} whole house of Assembly concerning some amendments this afternoon.

A Conference held in Councill concerning the Peticon from the Assembly relating to Fishing, Fowling, Mines, Quarries, and Minerally.

Christopher Taylor & Jno. Moll ordered by Govern^{r} and Councill to carry y^{e} old Laws to y^{e} Assembly for them to look over.

Adjourned till 27 1 Mo., 83.

Att a Councill held at Philadelphia y^{e} 27th 1st Mo., 1683.

PRESENT:

Wm. PENN, Prop^{ry} and Govern^{r} of Pensiivania & Countys Annexed.

Capt Tho. Holmes,
Jno. Moll,
Wm. Clarke,
Wm. Haige,
Fan. Whitwell,
Jno. Hilliard,
James Harrison,
Jno. Simcox,
Wm. Clayton,
Wm. Biles,
Jno. Richardson,
Capt. Wm. Markham,
Christo. Taylor.

John Moll and Thomas Holmes ordered by the Governr and Councll to go to the Assembly to have a Conference about the Amendments.

Wm. Haige and James Whitwell ordered by the Governr and Councill to carry several Bills to the Assembly relating to Mariners, and a bill to give every provll Councill Man 3s p day, & each Assembly man 2s 6d p Day, &c.

Adjourned for two howers.

POST MERIDIEM.

The Governour and Councel being sett, Capt. Wm. Markham desired leave to be absent a small time, wch was granted him.

It being putt to the Question whether the 19th Article should be inserted in the Charter, was past in the negative.

It being putt to ye Question whether those words in ye 17th Article of ye Charter: That after the Death of the present Governr the Govr & Councill should begin ye said Article, It was Resolved in ye affirmative.

It being proposed whether the Charter should be transcribed, It was resolved in the affirmative.

Ordered by the Governr and Councill that Thomas Holmes, Wm. Clark, John Moll, Jno. Simcox and Christopher Taylor, do consider the amendmts of the Charter, and give a report concerning the same To-Morrow.

Adjourned till 28th 1st Mon., 83.

At a Councill held at Philadelphia ye 28th 1st Mo., 1683.

PRESENT:

Wm. PENN, Propery & Governr of Pensilvania & Countys annexed.

Capt. Wm. Markham,
Capt. Tho. Holmes,
Wm. Clark,
James Harrison,
Jno. Hilliard,
Wm. Haige,
Jno. Simcox,
Jno. Moll,
Wm. Biles,
Christo. Taylor,
Fran. Whitwell,
Jno. Richardson.

The business of Charles Pickering & Walls, Seamen, was this Day heard before ye Governr & Councill, & it was their opinion that ye Seamen, excepting one of them, namely, John James, had done their duty.

Capt. Wm. Markham and Christopher Taylor ordered by Governr and Council to carry to ye Assembly several Bills relating to.

Timothy Metcalf ordered to pay 5s for being disordered in Drink.

The Speaker wth several other members, brought several bills to this board.

The Governr & Councill were pleased to inspect the fees.

& Adjourned till 29th 1 Mo., 83.

At a Council held at Philadelphia ye 29th 1st Mo., 1683.

PRESENT:

Wm. PENN, Propry and Governr of Pensilvania & Countys annexed

Capt. Wm. Markham,
James Harison,
Christo. Taylor,
Wm. Clarke,
Jno. Hilliard,
Jno. Simcox,
Wm. Clayton,
Jno. Moll,
Fran. Whitwell.
Wm. Biles,
Jno. Richardson,
Tho: Holmes.

James Harrison and Christo. Taylor ordered to go to the Assembly to have a Conference concerning the Bills of the ffees of this province, &c.

A Conference is had vizt:

All Ships and Vessells vnder 10 Tunns & those that belong to this River, to pay no fees.

The Question was proposed by the Governr whether Offices should continue for Life which are named by the Governr; Carried in the Negative.

Also whether the Governr that now is, shall chuse his officers during his life; Carried in the Affirmative.

The Question was putt whether the justices of the Peace, Sherifs, & Constables, should be appointed by the Governr dureing his life: Carried in the Affirmative.

The Question was putt whether the Governr should chuse officers during his Life, and afterwards according to Charter; Carried in the Affirmative.

The Question was whether there should be a Comittee to draw up the Charter with amendments; past in the affirmative.

The Comittee of the Council, out of each County one:

John Moll, New Castle County,
Fran. Whitwell, Kent County,
Wm. Clarke, Sussex County,
Jam: Harrison, Bucks County,
Wm. Clayton, Chester County,
Tho. Holmes, Philadelphia County.

The Committee of the Assembly:

James Walliams, New Castle.
Benony Bishop, Kent.
Luke Watson, Sussex.
Thomas Fitchwater, Bucks.
Dennis Rochford, Chester.
Thomas Wynne, Speaker, Philadelphia.
} Countys.

Agreed to sitt upon the Charter this afternoon, att 6 of the Clock.

A meeting of the generall Survr and Purchasers, appointed to be held to-morrow in the evening, about the Fees of Surveying, both to be held att the Council Chamber.

Adjourned till 30th 1st Mo., 83.

At a Council held at Philadelphia ye 30th 1st Mo., 1683.

PRESENT:

Wm. PENN, Prop'y and Governr of Pensilvania and Countys annexed.

John Moll,
Christo. Taylor,
Wm. Clarke,
Jno. Hilliard,
Thomas Holmes,
Capt. Wm. Markham,
Wm. Haige,
Jam: Harison,
Francis Whitwell,
Jno. Richardson,
Wm. Clayton,
Jno. Simcox,
Wm. Biles.

John Moll & James Harrison ordered by the Governr & Councill to carrie Several Bills to the Assembly.

The Question putt by the Governour, whether or no the old Charter shall serve with amendments, or a new one drawn. Agreed it should be drawn again and the amendments putt in.

The Speaker wth some other members, brought Several Bills to the Council.

Adjourned till 3 in ye afternoon.

POST MERIDIEM.

A Comittee ordered to prepare the Charter by 8 of ye Clock to morrow morning, being John Moll, James Harrison, Jno. Simcox, Thomas Holmes and Wm. Clarke.

Putt to the Vote, as many as are of opinion that a Publick Tax upon Land ought to be Raised, to defray the Publick Charge, say Yea, carried in the affirmative—none dissenting.

Jno. Moll, Wm. Clayton, John Hilliard, Jno. Richardson & Francis Whitwell, appointed for a Comittee to bring in ye Charge of ye Province.

Adjourned till ye 31 1st Mo., 83.

At a Councill held at Philadelphia ye 31th 1st Mo., 1683.

PRESENT:

Wm. PENN, proprietor and Govr of Pennsilvania and Countyes annexed.

James Harrison,
Jno. Moll,
Wm. Haige,
Wm. Markham,
Wm. Clark,
Wm. Clayton,
Jno. Hilliard,
Wm. Biles,
Thomas Holmes,
fran. Whitwell,
Jno. Simcock,
Chris. Taylor,
Jno. Richardson.

James Harrison & Jno. Symcock, ordered by ye Govr and Councill, to Carrie several Bills to ye Assembly relating to.

Wm. Haige desires Leave to be absent for some time. Leave is granted him.

The Speaker attends this house with several Bills.

Adjourned till 3 of ye Clock in ye Afternoone.

POST MERIDIEM.

The Speaker came downe this afternoone wth y^{e} whole house to hear the Charter read, w^{ch} was soe done.

The Gov^{r} proposed whether they would have y^{e} 500 Members Stand in this New Charter, or have it altered that only two hundred should be y^{e} greatest number. The Last was past in y^{e} Negative.

The Question was put whether they would y^{e} Clark wth y^{e} Charter to Inrole it, agreed Nemine Contradisente.

Capt. Wm. Markham,
Chris. Taylor,
Jno. Symcock,
Jno. Moll,
Wm. Clayton,
Jno. Richardson,
ffran. Whitwell,
Wm. Haige,
Tho: Holmes,
Wm. Clark,
James Harrison,
John Hilliard,
Wm. Biles,
Lasse Cock.

The Gov^{r} and these Memb^{rs} of Councill, wth y^{e} Whole Assembly being psent, The Bills were read and past into Laws, Nemine Contradicente.

Adjourned till y^{e} 2^{d} 2^{d} Mo., 83.

At a Councill held at Philadelphia y^{e} 2^{d} 2^{d} Mo., 1683.

PRESENT:

WM. PENN, Pro^{r} and Gov^{r} of Pennsilvania and Countyes Annexed.

Capt. Wm. Markham,
Tho. Holmes,
Christ: Taylor,
Ja: Harrison,
Jno. Symcock,
John Moll,
Wm. Haige,
Wm. Clarke,
Wm. Biles,
ffran. Whitwell,
Jno. Hilliard,
Jno. Richardson,
Wm. Clayton.

The Speaker, with two of ye Members of y^{e} Assembly, brought downe a Petition to y^{e} Governor.

Tho. Holmes, John Moll, John Hilliard and Wm. Haige, were sent by y^{e} Gov^{r} & Councill with several Bills to y^{e} Assembly.

Wm. Clark sent wth Several Bills to y^{e} Assembly.

James Harrison & Christ: Taylor Sent by y^{e} Gov^{r} & Councill with several Bills to y^{e} Assembly.

Jno. Symcock Brought several Bills from y^{e} House.

The Speaker, with two other members of y^{e} Assembly, Wayted on y^{e} Councill with several Bills.

Two of y^{e} Members of y^{e} Assembly wayted on y^{e} Councill with a Message Concerning y^{e} Bill of Cleaning of Corne, w^{ch} being put to y^{e} Vote, was Carried in y^{e} Affirmative.

John Symcock, Jno. Richardson, fran. Whitwell, Wm. Haige & Wm. Biles, were sent by y^{e} Gov^{r} & Councill with severall Bills to y^{e} Assembly. John Symcock & Ja: Harrison, sent Likewise with several Bills.

Adjourned till 3 of y^{e} Clock, Afternoone.

POST MERIDIEM.

The Same Members Present.

The Speaker with ye whole house came to ye Councill to heare severall Bills read and Passed in to Laws, wch was accordingly done.

Consideration arising whether ye Govrs three Voyces should stand in Provll Councill as by ye ould Charter, the Question was put, all yee that are willing yt the last proposition should stand so as it is, say yee. The Question being put twice, was Carried in the Affirmative.

The Great Charter of this Province was this night* read, signed, Sealed & Delivered by ye Govr to ye Inhabitants, and received by ye hands of James Harrison and ye Speaker, who were Ordered to returne ye Old one wth ye hearty thanks of ye whole house; which accordingly they did. Edmd Cantwell, Lasse Cock, Ralph Wethers, Jno. Rouds & Edward Southern, these members of ye Councill were absent.

The Question was put whether Skins should be prohibited; Carried in the Negative.

Also, if they would have an Imposition laid upon them; past in the Affirmative.

Adjourned till ye 3d 2d Mo. 83.

At a Councill held at Philadelphia the 3d of ye 2d month, 1683.

PRESENT:

Wm. PENN, Propr & Govr of Pennsilvania and Countyes Annexed.

Wm. Markham,
Tho: Holmes,
Chr. Taylor,
Wm. Clark,
Wm. Clayton,
Jno. Richardson,
John Symcock,
James Harrison,
Wm. Biles,
fran: Whitwell,
Jno. Hilliard,
Wm. Haige,
John Moll,
Ralph Withers.

It was proposed That no fellons be brought in to this Contrey.

An Other Concerning money or Pieces of Eight.

An Other Concerning Apprentices that runn away from their masters without Certificate, should not be Entertained, and Being put to ye Vote; was Carried in ye Affirmative, that they may be brought in.

The Question was put whether ye Law that is past shall stand without Altering; Carried in ye Negative.

The Question was put whether Pieces of Eight should goe by weight; Carried in ye Negative.

A Supplymt to ye Bill of Money, was put to ye Vote whether it should be added. Past in the Affermative.

The Question was put whether they would have a Seal to ye Laws of ye Province made Every Sessions. Carried in the Affermative.

The Question being put if the Clark of the Councill should Indorce the Consent of ye Councill on ye Laws Every Session. Carried in the Affer: Nemine Contradicente.

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* April 2d, 1683.

Also if ye Speaker should Indorce ye Consent of ye whole house of Assembly. Carried in ye Affir: N. Con.

The Govr Adjourned ye Assembly till such time as he & ye Provll Councill shall have occasion for them.

Adjourned till ye 4th 2d Mo. 83.

At a Councill held at Philadelphia ye 4th of ye 2d Mo., 1683.

PRESENT:

WM. PENN, Propr & Govr of ye Province of Pennsilvania and Countyes Annexed.

Wm. Haige,
Tho. Holmes,
Chr: Taylor,
Wm. Clayton,
Jno. Richardson,
Ja: Harrison,
Jno. Symcock,
Wm. Clarke.

This day Charles Pickering's Business was tryed, and ye Seamen are ordered to have 6 month pay and 5lb. given them over & above.

The Govr Orders that these members of ye Council attend him.

Tho: Holmes, Chr: Taylor,	3 year men.
Edmd Cantwell, Edwd Southern,	2 year men.
Wm. Clayton, Jno. Richardson,	1 year men.

Adjourned till ye 2d of ye 3d Mo., 83.

At a Councill held at Lewis, the 2d day of the 3d Mo., 1683.

PRESENT:

WM. PENN, Propr and Govr of ye Province of Pennsilvania and Countyes annexed.

Capt. Wm. Markham,
Wm. Clark,
ffr: Whitwell,
John Symcock,
Jno. Hilliard,
Edwd Southern.

The Govr Informed the Councill that he hath made Choyce of Nich: Moore to be Secretary of ye Provll Councill, and Capt. Wm. Markham & Jno. Symcock were Ordered to desire ye said Nich: Moore to appear before the said Provll Councill; where he took place as Secretary.

The Councill adjourned till ye 23d 3d Mo.

At a Councill held at Philadelphia y^e 23^d 3^d Mo., 1683.

PRESENT:

WM. PENN, Prop^r and Gov^r of y^e Province of Pennsilvania and Countyes annexed.

Chri: Taylor,	Ja: Harrison,	Jno. Symcock,
Wm. Clark,	Lasse Cock,	Wm. Haigue.
Ralph Withers,		

It was Proposed to have an attested Coppy of y^e Laws Printed. After some debate y^e Gov^r put y^e Question, & it was carried in y^e Negative, they should not be printed.

It was then moved y^t an attested Coppy under y^e Secretary's hand, should be transmitted to y^e Presid^t & Clark of each respective County, for y^e People to have y^e course to for their information, & that y^e people may have coppys of y^t Coppy from y^e Presid^t or Clark, so as it be attested by two Justices as authentick. After a short debate y^e Gov^r putt y^e Question, all y^t are of opinion that a Coppy of y^e Laws under y^e Secretary's hand shall be Sent to y^e Presid^t or Clark of each County Court, & Coppys of them taken by y^e people attested by two Justices of y^e peace, say yee.

Past in the Affermative.

Ordered y^t Coppys be sent & allowed to be taken from y^e Secretary's Coppy, it being first approved by y^e Court & attested before two Justices of y^e Peace under y^e County Seal.

The Gov^r Orders this Councill to attend him dureing the L^d Baltemore's Stay in these parts, Considering y^e psent occasion.

Ralph Withers desires Leave to goe home. Leave is granted him pvided he returne when y^e Lord Baltemore comes.

The disorder in publick houses being Complayned of, it was proposed by the Gov^r all that are of opinion that two psons should be assistants to two Justices of y^e Peace, to see good Orders kept, say yee.

Past in y^e Affirmative.

All that are of opinion that Benja. Chambers and Henry Lewis be the men, say yee.

Past in the Affirmative.

All that are of opinion y^t there should be a Proclamation Issued out to this effect, that no person should deal with any Servant for goods or Money, Either for themselves or others, say yee.

Past in the Affirmative.

Adjourned till y^e 24th of y^e 3^1 Mo., 83.

At a Councill held at Philadelphia y^e 24th of the 3^d Month, 1683.

PRESENT:

WM. PENN, Prop^r and Gov^r of y^e Province of Pennsilvania and Countyes annexed.

Wm. Clark,	Ja: Harrison,	Chr: Taylor.
Jno. Symcock,		

The Councill met according to adjournm^t and Adjourned till y^e 6th of y^e 4th Mo.

At a Councill held at Philadelphia ye 6th of ye 4th Mo., 1683.

PRESENT:

Wm. PENN, Propr and Govr of ye Province of Pennsilvania and Counties annexed.

Ralph Withers,
Chr: Taylor,
Wm. Clark,
Wm. Haigue,
Tho: Holmes,
Lasse Cock.

A Debate was held Concerning Lettrs Sent from East Jarsey to England, whereupon, Robt Stacey was cald in, and he saith that if this Councill would be pleased to make their Complaint, that ye people of East Jarsey will make them all ye Satisfaction that can possibly be given.

Whereupon, James Harrison, Chris. Taylor & Tho. Holmes, were Deputed by Govr Penn, to goe to East Jarsey and Comunicated to ye Govr & Councill, their Certaine passages written to England, by some of their Province, as Injurious to the Welfare and Prosperity of this.

Adjourned till ye 8th day 4th Mo., 83.

At a Councill held at Philadelphia ye 8th of ye 4th Mo., 1683.

PRESENT:

Wm. PENN, Propr and Govr.

Tho: Holmes,
Chr: Taylor,
Ralph Withers,
Wm. Clarke.

Richard Noble's Petition was read: Ordered yt his Case be heard & Tryed before this board ye 20th day of this instant, and yt he give Abr. Man his Exceptions 10 days before the Tryall. Abr. Man being psent they both agreed to stand Tryall.

Adjourned till ye 9th of ye 4th Mo., 83.

At a Councill held at Philadelphia ye 9th of ye 4th Mo., 1683.

PRESENT:

Wm. PENN, Propr and Govr.

Tho. Holmes,
Wm. Clark,
Ralph Withers,
Chr: Taylor,
Lasse Cock.

The Case of Nicho: Bartlett being againe Considered, it was not thought fit that any Letter should be sent into Kent County.

Nicho. Bartlett's Petition was read at this Board. Ordered that fran. Whitwell Should be sent unto, to come and answer to Nich. Bartlet's Petition & Declaration, and yt a Coppy thereof be sent unto him, and yt he appear before ye Govr & Provll Councill ye 25 Instant.

Ordered that Summonses be Issued out for Bartlet's Wittnesses.

The Gov^{r} put y^{e} Question whether a Solemn Proclamation might not be Convenient to goe a long with y^{e} Laws Concerning Ordinarys Keeping unseasonable Hours and selling of Rum.

Also, a Proclamation that Constables in this Citty should goe to publick houses to see good Ord^{rs} kept, and y^{t} people should not stay longer at an ordinary then such an hour.

Wm. Clark moveing in Councill for a Day Certaine for y^{e} hearing of an apeal between Jno. Bellamy and Luke Wattson, It was Ordered y^{t} it should be heard y^{e} 4th of y^{e} 5th month.

Wm. Clark desiring Leave to goe home, Liberty was granted him till further Order, and then Adjourned till 3 of the Clock afternoone.

POST MERIDIEM.

The Gov^{r} and Councill being mett,

They Ordered that two Proclamations should be issued out, one strictly to put y^{e} Laws in Execution, & y^{e} Other to suppress y^{e} Disorders in all Publick houses. Also, the Magistrates were sent for and Charged in Order to the same.

Adjourned till y^{e} 11th of y^{e} 4th Mo., 83.

At a Councill held at Philadelphia y^{e} 11th of y^{e} 4th month, 1683.

PRESENT:

Wm. PENN, Prop^{r} and Gov^{r}.
Chris: Taylor, Wm. Clark, Tho. Holmes,
Nich. Moore, Secre.

The members of y^{e} Councill being not returned which went to West Jarsey, the Gov^{r} was pleased to prolong y^{e} adjournm^{t} till y^{e} 20th of y^{e} 4th Mo., 83.

At a Councill held at Philadelphia y^{e} 20th 4th Mo., 1683.

PRESENT:

Wm. PENN, Prop^{r} and Gov^{r}.
Chr: Taylor, Tho: Holmes, Ralph Withers,
Edm^{d} Cantwell, Jno. Symcock, Wm. Clayton.

Richard Noble, Pl: on an apeal, Abra. Man, Def^{t}.

The Jugem^{t} of y^{e} County Court against Richard Noble was reade, wth the reason of y^{e} apeale, and soe they proceeded to Tryall.

But for as much as y^{e} apeal of Rich^{d} Noble before this board, is upon a Jugem^{t} given by y^{e} County Court of Philadelphia, Concerning a Title of Land in y^{e} County of Bucks, and that y^{e} Law saith That all Causes shall be first Tryed where they arise, It is y^{e} Opinion of this board that y^{e} apeal Lyes not Legally nor regularly before us, and therefore doe refer y^{e} Business to the proper County Court, and doe fine y^{e} County Court of Philadelphia forty pounds for giving y^{e} said Judgment against Law.

Adjourned till y^{e} 26th 4th month, 83.

At a Councill held at Philadelphia y^{e} 26th of ye 4th Mo., 1683.

PRESENT:

Wm. PENN, Prop^{r} and Gov^{r}.
Tho. Holmes, Wm. Clayton, John Symcock,
Lasse Cock.

Nich. Bartlet, Plan^{t} upon an apeal, ffrancis Whitwell, Def^{t}, proceeded to Tryall.

Tho: Grones being attested, declares that fran. Whitwell pretended to doe Bartlet a Kindness in y^{e} apraism^{t} of his goods, but afterwards would not, but much to his disadvantage.

Peter Gronendick being attested, declare That Whitwell promised not to take away any of y^{e} goods of Nich. Bartlet's.

Tho. Williams Being attested, declares y^{e} same.

Several more things being alledged on both sides.

The Gov^{r} & Councill Considering the hole matter betwixt the Plan^{t} & Def^{t}, doe think the appraism^{t} is under Vallued, and therefore do give it to be their Opinion that y^{e} Plantif is wronged, And therefore doe Order y^{e} Defend^{t} to pay to y^{e} Plantiff within six Weeks time three Cows and Calves, between four and seaven years old. Also Ordered,

That they pay the Wittnesses Charges between them.

Adjourned till y^{e} 4th 5th Mo., 83.

At a Councill held at Philadelphia y^{e} 4th of y^{e} 5th Mo., 1683.

PRESENT:

Wm. PENN, Prop^{r} and Gov^{r}.
Capt. Wm. Markham, Wm. Clark, Tho. Holmes,
James Harrison, Chr: Taylor, Jno. Roads.
John Symcock,

John Bellamy, Plan^{t} upon an apeal; Luke Wattson, Defen^{t}.

The Coppy of y^{e} Order of Court for an appeal was read, also y^{e} Judgm^{t} of Court in Sussex County.

The Defend^{t} answers by his Letters and Survey, wth Other Letters & papers in pursuance of Capt. Cantwell's grannt.

The Plantiff Questions Cantwell's Authority, & Saith the Gov^{r} of York Tore the Deffend^{ts} Pattent, for its being for so much as three thousand acres; The Proposeth whether the Title of the Defendants Prior in Date be sufficient; if soe y^{e} Plaintiff is Void.

Offered by the Govr and Councill to the Defft, that if they could Produce any Pattent, or Certifficate of a Pattent, they should have time given them by this board; Which was refused by the Defendt and his atturney, Abr: Man.

Upon the hearing and Debateing of ye Whole matter between Jno. Bellamy, Plant, & Luke Watson, Defft, upon an apeal from Sussex Court, This Board Unanimously agree in Judgmt for the Plant wth forty Shillings Damages and Costs of Suite, for that it doth not apear that Capt. Henry Smith, under whom the Deft Claimes, hath any Claime in Law or Equity for any Land upon prime hooke, and it is hereby Ordered that ye Plant shall pay to the Defendt for his Improvemts he hath made what shall be adjudged the true vallue thereof by three Comissrs of Valluation appointed by this board, to Witt: Jno. Roads, Robt Brassy and Alexandre Draper, of ye sd County, or any two of them. One halfe to be payd by ye 20th day of ye next ninth month, and ye other halfe by the 20th day of ye ninth month, which shall be in ye year 1684, and that the Defendt have four months time from ye Date hereof to take away his Cropp and Stock, and other Moveable Concernes.

Appointed that there be an Order sent downe to ye Comissrs about John Bellamy's & Luke Wattson's Business.

Adjourned till ye 1st 6th Mo., 83.

At a Councill held at Philadelphia ye 1st of ye 6th Mo., 1683.

PRESENT:

Wm. PENN, Propr and Govr.

Tho. Holmes, Wm. Clark, Nich. Moore, Secretary.
Lasse Cock, Chris: Taylor,

That 'tis thought fit the Care of Magistrates, that due provision be made for the Sustenance of the People, and though our Provisions are but small, yett that there may be Care taken Every One may partake.

Adjourned to ye 16th 6th Mo., 83.

At a Councill held at Philadelphia ye 16th of the 6th month, 1683.

PRESENT:

Wm. PENN, Propr and Govr.

Capt. Wm. Markham, Tho. Holmes, Chr: Taylor,
Lasse Cock, Wm. Clayton, Nich. Moore, Secre.

A Complaint was read against Griffith Jones, it was left to ye Court of Philadelphia to deside, he giving Security.

Griff. Jones & Chr: Taylor obligeth themselves in five hundred pounds penalty, to apear ye next Sessions to be held in ye sd County.

Adjourned till ye 22th 6th Mo., 1683.

At a Councill held at Philadelphia y^{e} 22th of y^{e} 6th month, 1683.

PRESENT:

W^{M}. PENN, Prop^{r} and Gov^{r}.
Capt. Wm. Markham, Wm. Clark, Nich. Moore, Secre.
Chris. Taylor, Tho. Holmes,

Ordered that a Proclamation should be Issued out for y^{e} Councill and Assembly to Sitt y^{e} 24 of the 8th Mo., 83.

Wm. Clark desired leave to goe home; Also to be Excused from coming to the next Genall Assembly, he having had a Long Journey into Maryland for the Publick Service. His request was accordingly granted him.

Adjourned till 29th 6th month, 83.

At a Council held at Philadelphia y^{e} 29th of y^{e} 6th month, 83.

PRESENT:

W^{M}. PENN, Prop^{r} and Gov^{r}.
Jam. Harrison, Tho. Holmes, Chris. Taylor.
John Symcock, Wm. Clayton,

The Gov^{r} put y^{e} Question whether a Proclamation were not Convenient to be put forth for to Impower Masters to Chastise their Servants, and to punish any y^{t} shall Inveyle any Servant to goe from his Master. They Unanimously agreed and Ord^{ed} it accordingly.

Adjourned to y^{e} 7th 7th Mo., 83.

At a Councill held at Philadelphia y^{e} 7th of y^{e} 7th Mo., 1683.

PRESENT:

W^{M}. PENN, Prop^{r} and Gov^{r}.
Edmond Cantwell, Edw^{d} Southern, John Roads,
Lasse Cock, Tho. Holmes, John Hilliard,
ffran. Whitwell, John Symcock, Wm. Biles,
Ja. Harrison, Wm. Clayton, Chris. Taylor.

The Petition of Hugh March and Other Persons against James Kilner, M$^{r.}$ of the Levee of Leverpoole, was read, and y^{e} Councill proceeded to Examine into y^{e} Business.

Hugh March Comp^{ts} Saith y^{e} M$^{r.}$ James Kilner Trode upon him on board the Ship, whereupon, he said Dam it, cannot the man see! for which y^{e} M$^{r.}$ beat him and made his mouth bleed.

James Kilner Confesses he being in a Storme, trode on him by chance, and y^{e} Other Daming of him and calling him foole, Caused him to Cuff him.

John Fox complaineth against James Kilner, and Saith he bid him cleane the Deck, he answered it was cleane already, whereupon, ye Master beat him.

James Kilner answered that one night he Spake to Jno. fox to cleane ye Deck, who said he would not, and also gave him ye Lie, whereupon, ye Mr. Struck him.

Edward Jones saith he drew some Water, and afterwards The Mr. seeing ye hhd of water open, fell upon ye sd Jones, and beat him with a staff and made his nose bleed, and afterwards drew him by ye hair of the head to the Mainmast, kickt him on the side, and run his fingers up his nose.

James Kilner answereth yt he asked ye said Jones why he lett ye water run at wast, who said he did not let it run at wast, and gave him ye like and other ill words, wherupon ye Mr. struck him.

Nich. Newtin declareth between both, that there was a Caske wch wanted a pegg, That was almost out, and ye Master spake to Edwd Jones to put a pegg into it, which he did, but still it runn out, whereupon the Mr. struck him several Blows.

Adjourned till ye 8th 7th Mo. 83.

At a Councill held at Philadelphia ye 8th of ye 7th Mo. 1683.

PRESENT:

Wm. PENN, Propr and Govr.

Chr: Taylor,
Tho: Holmes,
Jno. Roads,
Lasse Cock,
Jno. Symcock,
Wm. Clayton,
Wm. Biles,
Edwd Southern,
Jam. Harrison,
ffra. Whitwell,
Jno. Hilliard,
Edmd Cantwell.

The Govr proposes a Law to be drawn, That Servants which run away should serve five days for Every days absence after ye time of their Servitude, & pay the Costs and damages the Master shall Susteine by their absence.

The Govr Stateing ye Question, it was Carried in ye Affirmative, N.C.

Capt. Edmd Cantwell, Wm. Biles, Jno. Symcock & Jno. Roads appointed a Comittee to bring in a Bill concerning horses goeing out and comeing into this Province.

Wm. Shute's Petition Concerning his Son, detained by Denis Rocheford, was read; he is referred to the County Court.

The Comittee brought in these following Bills, Vizt: one Concerning Importation of horses; and one for Exportation of horses; both which were read.

Phillip England made his Complaint against James Kilner, who denyeth all alledged against him, only ye Kicking of the maid, and that was for Spilling a Chamber Pott upon ye Deck; otherways he was Very Kind to them.

George Green Saith that Phillip England went to Said Kilner to the overplus Water, also Beer, which was his own, and was denied it.

Tho. Brinket Saith that James Kilner said he must take care of their Water, having but a Little Left, but never denyed them water at any Time.

Also ye Ship rouled sometimes when ye Caske was almost out, and soe made it Like pudle. He further saith ye Seamen drunk more of ye Passingers beer then they themselves, and chainged 5 Barrells of ye Passingers beere and then the had not pformed halfe their Voige, and the Ship beer being spent, drank wholy of the Passingrs; he also saith ye Seamen drunk some times one Cann, some times two a day, more then ye Passingers that owed the drinke. The Master saith the Passingers Left the Ordering of the Drink to him, but they deny it.

The Govr gave the Master a Repremand and advised him to goe wth the Passingers and make up the Buisness, wch accordingly he did.

Adjourned till ye 10th 7th Mo., 83.

At a Councill held at Philadelphia ye 10th of the 7th Mo., 1683.

PRESENT:

Wm. PENN, Propr and Govr.

Tho. Holmes,
Chr: Taylor,
Edmd Cantwell,
James Harrison,
Jno. Symcock,
Wm. Biles,
ffra: Whitwell,
Jno. Hilliard,
Edwd Southrin,
Wm. Clayton,
Lasse Cock,

The Petition of Peter Groenendick, desireing a Speciall Court, was read. Francis Whitwell answerd that being there aught to be a Court Every two months. Only he would not answer to a Speciall Court, there being no Jury to Try it. It is the result of this board that noe more Speciall Court shall be granted.

A Bill was read Concerning Servants; past a first reading without Desent.

Tho. Holmes, Edmd Cantwell, James Harrison, Chris. Taylor, appointed a Comittee to draw Bills for Warrants, Bills, Bonds, repleanens, Sumonses and attachmts to be brought in ye afternoone.

A Bill Concerning Sumonsing of Jurys was read, & past a first reading without desent.

A Bill Concerning Justices Sitting in their own Cause upon an appeal, although a Provll Councillor should Sitt in Provll Councill upon that apeal, read; past the first reading without Desent.

A Bill Concerning bringing in of horses, past a second reading without Desent.

A Bill Concerning Carrieing of horses out of this Province, past a Second reading without Desent.

A Bill Concerning ye Privileges of Provll Councill men, Assembly men, and Courts of Justice, past ye first reading without Desent.

POST MERIDIEM.

The Bills above said, wch are six, were againe read a Second time & past without desent.

These Persons following, did Solemnly promise before this hon^{le} board, faith and allegiance to y^{e} King, & fidelity and Lawful Obedience to Wm. Penn, Prop^{r} & Governor.

Capt. Gabriell Rappe, M$^{r.}$ Andrew Learrin, Andrew Inbert, Petter Meinardeau Uslee, Lees Cosard, Nich. Ribouleau, Jacob Raquier. Louis Boumat.

Several Bills were brought by the Comittee Concerning Bonds. bills, attachm$^{ts.}$ &c.

Which were read a first reading & past without Desent.

Adjourned till y^{e} 11th 7th Mo., 83.

At a Councill held at Philadelphia y^{e} 11th of y^{e} 7th Mo., 1683.

PRESENT:

Wm. PENN, Prop^{r} and Gov^{r}.

Edm^{d} Cantwell,
Edw^{d} Southrin,
ffran. Whitwell,
John Roads,
Jno. Halliard,
Wm. Clayton,
Wm. Biles,
Chris. Taylor,
James Harrison,
Tho. Holmes,
Jno. Symcock,
Lasse Cock.

Severall Bills Concerning Sumonses, Bonds, Bills, attachm^{ts} &c.. Others Concerning Sherrifs and makeing up of acc^{ts}, were read a second time; past without Desent.

Wheras, there is a Petition preferred against francis Whitwell by Peter Gronendick, fran: Whitwell, Complayning against s^{d} Peter Gronendick, They doe Joyntly agree to have y^{e} Differance Tryed before the Gov^{r} and Councill the 26th 8th month next Ensuing.

A Bill ordered to be drawn for Clark's fees to be recovered; also an Other for sitting up of Bouyes in the River & Bay.

Adjourned till the 12th 7th Mo., 83.

At a Councill held at Philadelphia the 12th of y^{e} 7th Mo., 1683.

PRESENT:

Wm. PENN, Prop^{r} and Gov$^{r.}$

Chris. Taylor,
Jam. Harrison,
Tho. Holmes,
Jno. Symcock,
fran. Whitwell,
Jno. Hilliard,
Edm^{d} Cantwell,
Wm. Clayton,
Wm. Biles,
Edw^{d} Southrin,
John Road,
Lasse Cock.

All the Before mentioned Laws were read a third time, & past wth out Desent.

John Hill was attested to the Truth of these severall acc^{ts} and Bills, w^{ch} are as followeth:

Due to Wm. fframpton, Viz^{t}:

Phillip Morris, 561lb. Tobaco.	Dr.	Contra Cr.	L.
Wm. Clark, 954lb. pork, 6128lb. Tabac.		Cr. Diet & Storidg.	3600 lb. Tabac.

Wm. Emitt, Dr. 686 lb. Tobaco. Indian Cor 26 Bus^{ll}. 2½^{d} Cr. L.

Sam^{ll} Grey, Dr. 573 lb. pork, 393 lb. Tobac. & 2lb. 4s. 11 mony, Cr. 557 lb. pork.

Wm. Keening, Dr. 30 lb. pork. Cr.

Wm. Carter, Dr. 2 lb. 16, 8, 11 in mony, 112 lb. pork, Cr. Wheat 1 lb. 10, 00. Pork 130.

Henry Strecher, 325 lb. pork, 340 lb. Tobaco. Cr.

Alexander Moleston, 115 lb. pork, 815 lb. Tobaco. Cr. pork, 130 lb.

Luke Watson, Dr. 708¼ lb. pork, 1367 lb. Tobaco.
Balance due 379½ lb. 254 lb. 2.
Cr. Tobaco 1113 lb.
pork 329 lb.
mony 3 lb. 00, 00.

Andrew Dewpree, Dr. to 17lb. 3½p. Indian Corn. Cr.

Jno. Johnson, Dr. £0, 16, 6. Cr. 0lb. 5She. 00.

Jno. Vines, Dr. to 663 lb. pork, 1893 lb. Tobaco. Cr. 500 lb. Tabac.

Henry Skidmore, Dr. 1243 lb. pork, 350 lb. Tabaco. Cr. 60 Tabac.

Jno. Oakey, Dr. 1, 1, 3½. Cr.

Joseph Low, Dr. 452 lb. Tobaco. Cr.

Roger Gom, Dr. 30 lb. Tabaco. Cr.

Rich. Patty, 2 Bar^{lls} Indian Corne, Cr.

Wm. Bradford, Dr. 28 lb. porke, Cr. L.

Geo. Young 3 Bush. 2 pecks Wheat. Cr. L.

Jno. Brinklow, Dr. by ball. of acct 6 Jan^{ry} 1682-3, 138 lb. pork, 1200 lb. Tabaco.

Tho. Stretton, Dr. 140 lb. Tabaco. Cr. L.

Benony Bishop, Dr. 3682 lb. Tobaco. Cr. 2700 lb. to Ball. 982 lb. Tob.

Anth. Inloes, 490 lb. Tobaco. Cr. 361 lb. to Ball. 129 lb. Tob.

Jno. Betts, 459 lb. pork, 2906 lb. Tob. Cr. 2167 lb. Tob. To ball. 459 lb. pork, 839 lb. Tobaco.

Edw^{d} Peck, 300 lb. pork, 1721 lb. Tob. Cr. 1650 lb. Tob. to ball. 300 lb. porke, 71 lb. Tobaco.

ffran. Whitwell, Dr. 3223½ Tob. Cr. 2180 lb. due to ball. 1043 lb. Tobac.

Jno. Roads, Dr. 781 lb. Tob. Cr. 445 lb. Tob. due to ball. 334 lb. Tob.

Rob^{t} Waker, Dr. 2408 lb. Tob. Cr. 2240 lb. Tab. due to ball. 168 lb. Tab.

Patrick Grady, Dr. 717 lb. Tab. Cr. 450 lb. Tab. due to ball. 267 Tabac.

Sam^{ll} Mott, 184 lb. Tob. Cr.

Jno. Veckers, 90 lb. Tob. Cr.

Geo. Calling, 60 lb. Tob. Cr.

Wm. Ellingsworth, 1219½ Tob. Cr. 970 lb. Tob. due to ball. 249½ Tob.

Wm. Shore, Dr. 494 lb. Tobac. Cr. 345 lb. Tob. due to Ball. 149 lb. Tob.

Dan^{ll} Soanes, Dr. 1058 lb. Tob. Cr. 840 lb. Tobac.

James Smyth, Dr. 240 lb. Tob. Cr.

Robert Bedwell, Dr. 240 lb. pork. Cr. 180 lb. pork, due to Ball. 60 lb. pork.

Tho. Williams, Dr. 1019 lb. pork, 4594 lb. Tob. Cr. 2344 lb. Tob. 500 lb. pork, Due to Ball. 519 lb. pork, 2250 lb. Tobac.

Lewis Johnson, Dr. 1756½ lb. Toba. Cr. 1350 lb. Tabac, due to Ball. 406 lb.

Nath. Walker, Dr. 407 lb. Toba. Cr.

Wm. Trotter, Dr. 504 lb. Tobacco. Cr.

Henry Harman, Dr. 748 lb. Tobacco. Cr. for Corne rec^{d}, but know not how much to allow.

Tho. Kames, Dr. 2577 lb. Tob. Cr.

Tho. Hill, Dr. 650 lb. Tob. Cr. 400 lb. Tob. due to ball. 250 lb. Toba.

Jno. Curtis, Dr. 8500 lb. pork, 2819 lb. Tob. Cr. 2040 lb. pork, 265 lb. Tob., 1 anker Butter, to pork Peter Baucomb plumblet out of y^{e} boat, also 4 hhds. of Tob.; I forgot y^{e} weight.

Robert Braceys, Dr. 16 lb. Tobaco. Cr.

Edw^{d} Warmer, Dr. 0 15s. 00d. Cr.

Wm. Darvall, Dr. 589 lb. pork, 5114 lb. Tob. Cr. 3840 lb. Tobac. due to ballance 589 lb. pork, 1274 lb. Tobaco.

Cha: Pickering, Dr. 500 lb. Tobaco. Cr.

County of Kent, Dr. to Salt porke, which y^{e} Sheriff, Peter Bawcoumb. took out of y^{e} boat, w^{ch} he Suit* there was but 700 lb., but I cannot tell how much, for there was pork in y^{e} boat to y^{e} Quantity of 2700 lb.

Tho. Hassald, Dr. 480 lb. Tob., Cr. 400 lb. due to ball 80 lb. Tob.

James With, Dr. 2 lb., 5 s. 1 d., Cr.

Tho: Danis' bill for 530 foot plank.

Edw^{d} Southrins' Bill for 904 lb. porke.

Eliz: Roads' bill for 100 lb. porke.

Jno. Depreys' bill for 935 lb. porke.

Bap^{t} Newcombs' bill for 212 lb. porke.

Wm. ffutchers' bill for 5425 lb. porke, 1309 lb. Tobacco.

Jno. Streets' bill for 220 lb. pork.

Sarah Averys' bill for 3785 lb. pork.

Rob^{t} Richards' bill for 70 lb. porke.

Jno. Burtons' bill for 4625 lb. porke, 6003 lb. Tabacco.

Rob^{t} Jn^{o}ssons' bill for 300 lb. Tobaco.

Bryan Omelys' bill for 120 lb. Tobaco.

Geo: Martys' bill for 289 lb. Tobaco.

Tho: Grones' bill for 340 lb. Tobacco.

Jno. Newills' bill for 285 lb. Tobacco.

Wm. Dorringtons' Bill for 260 lbs. Tobacco.

Charles Morfeys' bill for 300 lb. Tobacco.

Jno. Cortneys' bill for 940 lb. Tobacco.

Jno. Betts, his bill for 4500 lb. Pork.

Rich. Willsons' bill for 385 lb. Tobacco.

Wm. Windsmores' bill for 535 lb. Tobacco.

John Hilliards' bill for 1900 lb. Tobacco.

Simon Irons' bill for 893 lb. Tobacco.

Al: Drapers' bill for 233 lb. Tobacco.

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*This word should be said.

Jno. Richardsons' bill for 3233 lb. Tobacco.
Edwd Warmers' bill for 4000 lb. Tobacco.

Adjourned till ye 24th 8th Mo., 83.

At a Councill held at Philadelphia ye 24th of the 8th month, 1683.

PRESENT:

Wm. PENN, Propr and Govr
Tho: Holmes, Wm. Clayton,
Lasse Cock, Chr: Taylor,
Wm. Biles, John Symcock.

The Govr Informed ye board, that it was Convenient Warrant should be sent from this board to aprehend some persons upon suspition of putting away of bad money.

A Question put whether there be not some psons to vent such money here.

Robt Felton being attested, The Question was put to him whether or no he recd any Silver of Charles Pickerin, to Quine for him: he answered yes, 24 pounds of Bard Silver; he also made the Scales, & Charles Pickering & Samll Buckley helped him to make the Bitts. Quest: what did they add to the allay of ye 15 lb. 2oz; about 4oz of Copper; and what to ye 9 lb. 3 or 4oz of Copper, being the allay; he cannot be Exact how much the allay was, for they did sometimes put in more then he knew of.

A Warrant was Issued forth from this board, to bring Charles Pickering & Samll Buckley before them. Tho: Clifford appointed Messingr for this Sessions.

Robert Felton also saith he had noe Silver brought to him, but by the psons above named, and he Scroopling to do it, the Silver having been already allayed, and if they did not put more Copper into it they would Loose by it; they said they would Bare him out in what he did for them.

The Govr telleth Ch: Pickering & Samll Buckley of their abuse to ye Governmt, in Quining of Spanish Bitts and Boston money, to the Great Damage and abuse to ye Subjects therof. The Govr asked them whether or no they are Guilty of ye fact. They confess they have put of some of those new bitts, but they say that all their money was as good Silver as any Spanish money, and also deny that they had any hand in this matter. Charles Pickering saith he will Stand by it and be Tryed; he declareth that he heard Jno. Rush Swere that he Spent halfe his time in making of Bitts.

The Govr asketh Samll Buckley whether he did not help to melt money, or to put in ye Copper allay into ye Silver more then Should be, and to have been at ye Stamping of new Bitts, and Strikeing on the Stamp.

He Confesseth he hath been guilty of somewhat of that; also, was there not to y^e knowledge any brass or Copper put into the Silver that was melted? he Sayeth yes.

Also, whether or no thou didst not help Charl. Pickering's man to melt, and also to stricke the hamer and See y^e Seals, and disperse some of the Bitts, more or Less? he Sayeth yes.

Was there not more allay put into the Silver then Ordinary, and y^e Person tould that Stamp it, that There was too much? he sayeth yes.

John Rush being sent for & Examined, Positively denyeth what Char. Pickering affermd.

The Gov^r Demands of Charl. Pickering and Sam^ll Buckley to give Security, w^ch accordingly was done.

Tho. Phillips & Sam^ll Buckley, Enter into a Recognizance of five hundred pounds for Sam^ll Buckley's appearance before this board when demanded, and not to goe out of towne without Leave.

Rich^d Wall and Char. Pickering binde themselves and Enter into a Recognizance of five hundred pounds for Char. Pickering's appearance before this board, and not to goe out of towne without Leave.

Ordered y^t y^e Sherriff take Rob^t ffelton into Custody, & him safe to keep untill further order.

POST MERIDIEM.

The Gov^r moved that at y^e beginning and Ending of the Sitting of the Assembly, the People of y^e Citty and Countrey may if they please, come in and hear what shall be spoken unto them.

The Assembly being admitted, the Gov^r opened the house, and Caused to be delivered to the Speaker fifteene Laws Concerning severall things for them to debate of.

A Petition of y^e County of Kent was Cognizable before this board, and it is referred to a Comittee of some of this board and some of the house of Assembly to that part of y^e Petition Relateing to pattents.

The Gov^r telleth them that the fault of not having Pattents is not y^e Gov^r but their owne, for they ought always to attend the Gov^r for them, and that their Default is so far from giving them pretence not to pay Quitrents, that with an Other Gov^r it might Weaken their Tittles or Pinch their pocketts, and that y^e Ord^r of S^r Edmond Andros for three Years to Seat in Expired in '78, and that divers Orders were sent to them to take out their Pattents, and further more there was an Other Order that those that had not or should not settle in 6 months should forfeit their Lands; also thousands of acres in the Lower Countys which y^e Gov^r might have taken from them, being forfeited; therfore they ought to be Content.

A Warr^t was Issued Out from this Board to Benjam. Chambers, High Sherriffs, to Sumons a Grand & Petty Jury for the Tryall of Char. Pickering & Sam^ll Buckley.

Adjourned till the 25^th 8^th Mo. 83.

At a Councill held at Philadelphia the 25th 8th Mo., 1683.

PRESENT:

Wm. PENN, Propr & Govr.

Tho. Holmes,
Lasse Cock,
Chr. Taylor.
Wm. Biles,
Wm. Clayton,
Jno. Symcock,
Ja: Harrison,

Ordered, That an Indictmt be Drawne against Char. Pickering & Samll Buckley, Grounded upon Evidence taken before this board.

Two of the Assembly, Jno. Blumstone & Luke Watson, came to this board to be Informed Concerning the Sherriffs, calling them to ye Service of a Grand Jury, and they were tould it was about Corrupt money, and that it was not by Compultion, but wth their Consent.

John Symcock Sent by ye Govr & Provll Councill to ye Assembly, that Griffith Jones may have Liberty to come before this board to be Examined in a Businesse of Moment.

Complaint being made to this board about New Bitts and New England Shillings, It was resolved that there should be a Proclamation Issued out forthwith to cry them downe.

Griffith Jones Attested, saith that Charles Pickering sent him Eight pounds in New Bitts to pay New England men, but they would not take it; therefore he went to Mary Bartholmew and changed fourty Shillings to make up a sume which Otherways he could not have done, and he promised to change it againe, and further Saith not.

John White made Atturney Generall to plead the Cause between Our Proper & Govr, and Char: Pickering & Samll Buckley.

POST MERIDIEM.

Thom. Holmes and James Harrison Sent to ye house of Assembly, to Lett them Understand, that if they were ready Wee are ready, and stay for them.

Wherupon the Speaker wth ye Whole house, came to attend this Board wth a returne of ye Bills wch were delivered to them by this board; Which Bills were read the Last reading and past, Nemine Contradicente.

A Grand Inquest were Impanneld and Attested, whose names are as followed:

Tho: Lloyd, foreman.
Enoch flower,
Rich. Wood,
Jno. Hardin,
Jno. Hill,
Edwd Louff,
Ja: Boyden,
Nich. Walne,
Jno. James,
Jno. Vanborson,
Robt. Hall,
Valt. Hollingsworth,
Alexer Draper,
Jno. Louff,
Jno. Wale,
Samll Darke,
Jno. Parsons,
Jno. Blunstone,
Tho: ffitchwater,
Wm. Guest,
Jno. Curtis,
Robt. Lucas,
Hen. Jones,
Caleb Pusy.

And then adjourned till ye 26th Inst, 8th Mo. 83.

At a Councill held at Philadelphia y^{e} 26th 8th Mo. 1683.

PRESENT:

Wm. PENN, Prop^{er} & Gov^{r}.
Chr: Taylor,
ffra: Whitwell.
Wm. Clayton,
John Moll,
Jno. Richardson,
Lasse Cock,
Wm. Biles,
Tho: Holmes,
Jo. Symcock,
Ja: Harrison.

The Grand Jury being called Over, went forth to find the Bill against Charles Pickering, and returned and found y^{e} Bill as being a Heynous and Grevious Crime.

The Petty Jury were Impanneld and Attested, whose names are as followed:

John Claypoole, foreman.
Rob^{t} Turner,
Rob^{t} Euer,
Andrew Brinkson,
Jno. Barnes,
Jos. ffisher,
Dennis Rochford,
Wm. Howell,
Walt^{r} King,
Benj: Whitehead,
Tho: Rouse,
David Brintnell.

The Indictm^{t} was read against y^{e} Prisoner at y^{e} Barr, to w^{ch} he answered not Guilty, and would be tryed by his Country. The Atturney Gen^{r}all then opened y^{e} Cause and called for his Witnesses as followed:

Caleb Pusey attested, Saith that Charles Pickering paid him 15lb. in New Bitts, w^{ch} were produced in Court.

Griffith Jones Attested, Saith that he borrowed of the Prisoner Eight pounds in New Bitts, as they are now called.

Mary Bartholmew attested, saith that Griffith Jones came to her and desired her to change him fourty Shillings; shee said she would, provided he would change them againe, and he sayd he would; wherupon he had it, wherof some of y^{r} pieces were produced in Court.

The foreman of the Jury desired that y^{e} Prisoner would tell him who he had the money of that he payd to severall people, but he sought to Evade it, saying the money that any pson rec'd of him he would change it, and that noe man should Loose any thing by him.

The Gov^{r} gave y^{e} Charge to ye Jury, and they went forth and returning againe, brought him in Guilty of y^{e} Bill of Indictem^{t}.

A Bill sent to y^{e} Grand Jury against Sam^{ll} Buckley and Robt. Fenton, which was found, and their Indictm^{ts} read against them; they both Confessed y^{e} fact, and the Petty Jury went forth and brought them in Guilty of their Indictm^{ts}. Sam^{ll} Buckley & Robt. ffenton, both Declare that Pickering and they two made the Money to gather, and Robt. ffenton saith that he Cut the Seals for Charles Pickering, and that he was at worke there with them about a Week or more, and further saith, one pair was made before he absented himselfe, and one paire afterwards, and y^{t} the mint was not in this Province, which was declared by both of y^{e} aforesaid Prisoners.

After Which, y^{e} Gov^{r} Proceeded to give Sentance against y^{e} Prisoners, w^{ch} is as followed.

Charles Pickering, The Court hath Sentenced thee for this high misdemeanor whereof thou hast been found Guilty by the Country, that thou make full Satisfaction in good and Currant pay to Every Person that shall within ye Space of one month, bring in any of this false, Base and Counterfitt Coyne, (wch will to morrow by Proclamaon be called in,) according to their respective proportions, and that the money brought in, shall be melted into gross before returned to thee, and that thou shalt pay a fine of fourty pounds into this Court, towards ye Building of a Court house in this Towne, and Stand comitted till payd, and afterwards fined Security for they good abearance.

Samll Buckley, the Court Considering thee to have been more Engenious then he that went before thee, hath thought fitt to fine thee, and doe fine thee tenn pounds towards a Public Court house here, and to finde good Security for thy good abearance.

Robert ffenton, the Court haveing also Considered thy Ingenuity in Confessing the Truth of Matters, and that thou art a Servant, hath only Sentenced thee to Sitt an hour in the Stocks to morrow morning.

Adjourned till the 27th 8th month, 83.

At a Councill held at Philadelphia ye 27th of ye 8th Mo., 1683.

PRESENT:

Wm. PENN, Propor and Govr.

Tho: Holmes,	Wm. Clayton,	Jam: Harrison,
Jno. Symcock,	John Moll,	Wm. Biles.
ffr: Whitwell,	Chr: Taylor,	

A Proclamation was this day Issued out to put downe Bitts a Coyne so Called, wch were Counterfitted by Char: Pickering, and also he to make satisfaction to all manner of Persons wronged by ye same.

A forme of a Proclamation begins thus:

By the Proprietary and Govr of ye Province of Pennsilvania, & the Territories thereunto belonging, by and wth the advice and Consent of ye Provll Councill of ye same.

Ordered that there being a returne made to this board, by ye Comissrs of appraisemt appoynted between Luke Watson and John Bellamy, of Certaine Improvmts made by Luke Watson, on a Plantation adjudged to John Bellamy at Prime hook, in ye County of Sussex, in the Territories of this Province, in as much as ye sd Jno. Bellamy hath not payd him nor Secured him the Vallue of ye appraismt and that he is at psent out of ye Countrey, that he may Enjoy ye sd Plantation till payd, or sufficiently Secured.

It is Ordered by this board, that ye said Luke Watson, doe Peaceably Enjoy the sayd Plantation till ye said John Bellamy hath payd or given sufficient Security to pay the same, or hath shown to this board a good cause to the Contrary.

Adjourned till ye 29th of ye 8th Mo., 83.

At a Councill held at Philadelphia ye 29th of ye 8th month, 1683.

PRESENT:

Wm. PENN, Propor and Govr.

Tho: Holmes, Jno. Symcock, ffra. Whitwell,
Chr: Taylor, Jno. Richardson, James Harrison,
Wm. Biles.

Charles Pickering Sent for by the Messinger.

A Petition of ffra. Whitwell read.

A Warrant Issued out to make Search in ye Shop and Lodging of Isack ye Smith, Humphrey Best and Jno. Rush, doe worke for mettles Coyned or uncoyned, Stampt or unstampt, Iron or Steel only excepted.

A Petition of Robt Marsh read, and Ordered that ffrancis Whitwell release him or sue the Bond.

Adjourned till ye 30th 8th Mo., 1683.

At a Councill held at Philadelphia ye 30th 8th Mo., 1683.

PRESENT:

Wm. PENN, Propor and Govr.

James Harrison, Jno. Richardson, Wm. Haigue.
Tho. Holmes, Wm. Biles,

John Richardson desired a Writt of Inquirey Concerning the Estate of Mich. Simkin.

Adjourned till ye 7th of ye 9th Mo., 83.

At a Councill held at Philadelphia the 7th of the 9th month, 1683.

PRESENT:

Wm. PENN, Propor and Govr.

Chris. Taylor, ffran. Whitwell, Tho. Holmes,
Jno. Richardson.

A Petition of Peter Gronendicks read, and upon reading this board grant him a rehearing of a Case of Difference between Cornelius Varhoof, Plt and Peter Gronendick, Defft, before ye Govr and Provll Councill ye 28th Inst 1683.

A Petition of Abra. Westron read: Ordered, that he be remetted his fine, but that his Wife pay hers, it being 5 pounds.

A Petition of Richd Wells read: Ordered that he be referred to ye Peace makers, and in Case of Refusall to ye County Court, according to Law.

Adjourned till ye 21th of 9th Mo. 83.

At a Councill held at Philadelphia The 21th of the 9th Mo., 1683.

PRESENT:

WM. PENN, Propr and Govr.
Tho. Holmes, Wm. Haigue, Chris. Taylor,
Wm. Clayton.

The Petition of ffr. Whitwell read, and upon Consideration of his allegations of Mistakes in Peter Gronendicks accots.

Ordered that unless they referr it to two Persons Indifferently Chosen, this board doth grant a rehearing, ffr. Whitwell paying the Charge thereof.

Jno. Stephens, Plt. } by an apeal from Kent County Court.
Evan Davis, Deft. }

The Plans Declaration was read and they pceeded to Tryall.

The Plantif declared that if The deft would Swear to his accots, that he would allow of them.

That upon ye hearding of a Case of Differance depending between John Stephens, Plant, & Evan Davis, Deft, from a Judgmt given upon an apeal from Kent County Court against ye Plant.

This Board doth finde that the said Evan Davis, Stands Indebted to ye sd Jno. Stephens ye Just Sume of One Thousand & seaventy pounds of good and Marchantable Tobacco, over and above ye Assignemt of Stiles, his Bill of Eighteene hundred & Odd pounds of Tobacco to ye Said Stephens, and the Obligation he is under to finish the Tobacco house of ye sd Stephens.

A Ship called the Mary of Southampton, Anto Pryers Mr, was by this Board called in question for being an Unfree Ship, and upon Consideration had by this Board, and Jno. Test, Prosecutor, desireing Judgmt.

It is ye Judgmt of this board that there being noe Certificate that shee is a free Ship, therfore this board Condems her as being an unfree ship and forfeited.

The Condemnation is as followed:

Information haveing been made to ye Govr & Provll Councill, that a Certaine Ship called the Marry of Southampton, lately arrived wth Passingers from Southampton in England, and now Rideing before the Towne of Philadelphia, in the Province of Pennsilvania, is a Scottish Bottom and noe ways made ffree to trade to any of his Majesty's Plantations in America, and so under ye forfeiture Expressed in the Laws of Navigation; upon a full hearing of the Business in Councill, and by the Ingenious acknowledgemt of the Master and some of ye Owners, and Especially by the Goulden Breif that was produced by one of them, is found to be the Alexander of Inverness, of ye Kingdome of Scottland, And therfore the Govr and Provll Councill have and doe adjudg and Condemne the said Ship as forfeited, according to Law in such Cases provided for.

Adjourned till ye 26th 10th Mo., 83.

At a Councill held at Philadelphia, ye 26th of ye 10th month, 1683.

PRESENT:

Wm. PENN, Propor & Govr.

Tho. Holmes,	Wm. Haigue,	Lasse Cock.
Wm. Clayton,		

The Govr and Provll Councill having taken into their Serious Consideration the great Necessity there is of a Scool Master for ye Instruction & Sober Education of Youth in the towne of Philadelphia, Sent for Enock flower, an Inhabitant of the said Towne, who for twenty Year past hath been Exercised in that care and Imploymt in England, to whom haveing Comunicated their Minds, he Embraced it upon these following Termes: to Learne to read English 4s by the Quarter, to Learne to read and write 6s by ye Quarter, to learne to read, Write and Cast accot 8s by ye Quarter; for Boarding a Scholler, that is to say, dyet, Washing, Lodging, & Scooling, Tenn pounds for one whole year.

Antho: Pryer's Petition read; referred to ye Law.

Adjourned till ye 27th 10th Mo., 83.

At a Councill held at Philadelphia The 27th of the 10th month, 1683.

PRESENT:

Wm. PENN, Propor and Govr.

Tho: Holmes,	Wm. Haigue,	Lasse Cox.
Wm. Clayton,		

This day Thomas Lloyd was sent for before this board, and ye Govr was pleased to put him in Master of ye Rolls, who doth Solemnly promise to officiate therein wth care and Diligence.

It being taken into the Serious Consideration of this board, the Great grevance of Tradesmen's Exaction, they have thought fitt to Issue out an Ordinnance whereby to regulate the same.

The Sherriff having brought in the Grevance of ye People Concerning the New betts put out by Charles Pickerin, which he is to Satisfie for According to ye Judgmt given against him in that matter; he being asked about it, saith that he will give in Money and plate to Satisfie them.

The Petition of John Helliar read. Ordred that The Law shall have its Course.

Ordered That ye Sherriff goe to Char: Pickering and receive as much good money, or Vallue thereof, as he hath reced of the People in bad money, and pay ye same respectively to ye People as he reced the other from them.

And Adjourned till ye 16th 11th Mo., 83.

At a Councill held at Philadelphia ye 16th of ye 11th month, 1683.

PRESENT:

Wm. PENN, Propor and Govr.
Chris. Taylor, Lasse Cock, James Harrison,
Wm. Biles, Tho. Holmes, Wm. Clayton,
Jno. Symcock.

The Proposalls of Anto. Weston wth ye rest of ye Persons names thereunto Subscribed were read; And the Govr proposes wch way to punish him, and they thought the best way was to have him Whypt.

Paul Saunders and Tho. Stephens say that Anto. Weston tould them that Jno. Songhurst, Jno. Parsons, Tho. Ducket and Others, would stand to his paper.

Antho. Weston being Examined, saith that they mett at Tho. Hootons, and there chose him to draw up Proposalls to the Govr & Provll Councill, wch Proposalls were mended by Tho. Winn, who was reproved for doeing of the same.

The Govr proposeth what to doe wth Anto. Weston: as many as would have him whypt, say yee. Past in the Affirmative.

John Stone and Tho. Dare his Servant, Ent into a recognizance of fifty pounds a peice for their good behaviour ducring the Terme of his Servts Servitude.

Henry Comely & Geo. Sheave his Servant, Entered into a recognizance of fifty pounds a peice for their good behavior ducring yr terme of his Servts Servitude.

Wm. Clayton and Tho. Stephens his Servt, Enter into a Recognizance of fifty pounds a peice for their good behavior to the Governmt duering ye said Servts Servitude.

The Govr and Provll Councill have thought fit that for the great presumption and Contempt of this Governmt and authority, that Anto. Weston be Whypt at ye Market place on Market daye three times, Each time to have Tenn Lashes, at 12 of the Clock at noone, this being ye first day.

A single recognizance of fifty pounds the freemen that Subscribed to Antho. Weston's proposalls, are to give for their good behavior to ye Governmt till such time as ye Genall Assembly shall next sett.

Ordered That Wm. Clayton build a Cage against the next Councill day, 7 foot high, 7 foot Long, & 5 foot broad.

Adjourned till ye 17th 11th Mo., 1683.

At a Councill held at Philadelphia ye 17th of ye 11th month, 1683.

PRESENT:

Wm. PENN Propor and Govr.
James Harrison, Lasse Cock, Wm. Clayton,
John Symcock, Wm. Biles, Tho: Holmes.
Chris: Taylor,

John Songhurst, and all his Servts, Enter into a recognizance of fifty pounds apeice, for their good behaviour to ye Governmt duering ye terme of his Servts Servitude.

Andrew Griscome and Mathias Jewell, Enter into a recognizance of fifty pounds apeice, for their good behavior duering ye terme of his Servts Servitude.

The Petition of Peter Cock read.

The Question was put, whether the Law of Custome doth Last but for a year, as well as Taxes, or not.

Proposed by the Govr whether or no ye People in England should not pay towards Public Charges or not, as well as those in the Province; past in the Affirmative.

All that are of Opinion That a Levie should be Laid on ye Lott in the City of those psent and those absent, Say Yea; Past in ye Affirmative.

A Law proposed to Encourage makeing of Linnen Cloth.

A Law proposed for two Sorts of Cloaths only, for Winter and Summer Wear.

A Law proposed for Young Men's Marrieing at such an age.

A Law proposed for Makeing of Severall sorts of Books, for the use of Persons in this Province.

Proposed that care be Taken about the Learning and Instruction of Youth, to Witt: a Scool of Arts and Siences.

Adjourned till ye 7th 12th month, 1683.

Att a Councill held at Philadelphia ye 7th 12th Mo., 1683.

PRESENT:

Wm. PENN, Propor & Govr.
Lasse Cock, Jno. Symcock, Tho. Holmes.
Wm. Clayton,

Margaret Mattson and Yeshro Hendrickson, Examined and about to be proved Witches; whereupon, this board Ordered that Neels Matson should Enter into a Recognizance of fifty pounds for his Wiff's apearance before this board the 27th Instant, Hendrick Jacobson doth the same for his Wife.

Adjourned till the 20th 12th Mo., 83.

At a Councill held at Philadelphia ye 20th 12th month, 1683.

PRESENT:

Wm. PENN, Propor and Govr.
Tho: Holmes, Wm. Clayton, Lasse Cock.
Wm. Haigue,

Wm. fframpton being Sent for before this board, his Petition was read, and it was Ordered that James Claypoole, Robt Turner, Jno. Greene, Jno. Jones and Wm. fframpton, or any two of them, to have the Keys and to take into Possession the Estate in the hands of Jno. Vanburson, and to Inspect his accots in psuance of the same, and to make a returne distinktly of the said goods and accts to this board.

The Govr & Provll Councill have thought fitt, from the Exteriordinary in the Case, to place Patrick Robinson as administrator to Benj. Acrods Estate, and to have a recourse to this board from time to time.

Wheras, the Verdict of the Coroner's Jury was, that Benj. Acrod killed himselfe wth drinke, wch might give the Province a pretence to his Estate therin. The Propor & Govr Relinqueshed all his Claime thereunto in Councill, and desired ye Councell to take Care that some person be appoynted to take Care of ye Estate of ye sd Acrod, for ye paymt of his debts, and the remainder to be disposed of according to Law, &c.

Adjourned till the 21th 12th Mo., 83.

At a Councill held at Philadelphia ye 21th of ye 12th Mo., 1683.

PRESENT:

Wm. PENN, Propor and Govr.

Tho: Holmes, Wm. Clayton, Lasse Cock.
Wm. Haigue, Chr: Taylor,

James Claypoole, Jno. Joanes and Wm. fframpton, made their returne to this board Concerning the Estate of John Vand Borsons; Wherupon, James Claypoole & Wm. fframpton were appointed to Inspect and make up the accts of Jno. Vanborson, and to give an accot of it to this board when they have made up the Cr. & Dr.

Wm. fframpton makes a report of the referance of the Councell Concerning the Estate of Jno. Vanborson, Lately deseased.

The Provll Councell Ordered Wm. fframpton & Samll Carpenter of this Towne, Marchts, to administer on ye behalfe of ye Creditors and Heirs of Jno. Vanborson, and to make report of what they doe therein to this board.

Adjourned till ye 27th 12th Mo., 83.

At a Councill held at Philadelphia ye 27 of the 12th month, 1683.

PRESENT:

Wm. PENN, Propor and Govr.

James Harrison, Wm. Haigue, Wm. Clayton,
Wm. Biles. Chris. Taylor, Tho: Holmes.
Lasse Cock,

The Grand Jury being attested, The Gov^{r} gave them their Charge, and the Atturney Genall attended them wth the presentm^{t}; their names are as followed:

Rob^{t} Euer, foreman.
Sam^{ll} Carpenter,
Andrew Griscom,
Benj. Whitehead,
Jno. Barnes,
Sam^{ll} Allen,
Jno. Parsons,
Rich. Orne,
Jno. Day,
Jno. ffisher,
Jno. Barnes,
Gunner Rambo,
Enock flower,
Henr: Drystreet,
Tho: Mosse,
Tho: Ducket,
Denis Lince,
Tho: Phillyps,
Tho: Millard,
Jno. Yattman,
Barnaby Wilcox.

POST MERIDIEM.

The Grand Jury made their returne, and found the Bill.

Ordered that those that were absent of the Petty Jury should be fined 40^{s} each man.

Margarit Matson's Indictm^{t} was read, and she pleads not Guilty, and will be tryed by the Countrey.

Lasse Cock attested Interpriter between the Prop^{or} and the Prisoner at the Barr.

The Petty Jury Impanneld; their names are as followed:

Jno. Hasting, foreman.
Rob^{t} Wade,
Wm. Hewes,
Jno. Gibbons,
Albertus Hendrickson,
Nath. Evans,
Jer. Collet,
Walter Martin,
Rob^{t} Piles,
Edw^{d} Carter,
Jno. Kinsman,
Edw^{d} Bezac.

Henry Drystreet attested, Saith he was tould 20 years agoe, that the prisoner at the Barr was a Witch, & that severall Cows were bewitcht by her; also, that James Saunderling's mother tould him that she bewitcht her cow, but afterwards said it was a mistake, and that her Cow should doe well againe, for it was not her Cow but an Other Person's that should dye.

Charles Ashcom attested, saith that Anthony's Wife being asked why she sould her Cattle; was because her mother had Bewitcht them, having taken the Witchcraft of of Hendrick's Cattle, and put it on their Oxon; She myght Keep but noe Other Cattle, and also that one night the Daughter of y^{e} Prisoner called him up hastely, and when he came she sayd there was a great Light but Just before, and an Old woman with a Knife in her hand at y^{e} Bedd's feet, and therefore shee cryed out and desired Jno. Symcock to take away his Calves, or Else she would send them to Hell.

James Claypoole attested Interpritor betwixt the Prop^{ry} and the Prisoner.

The affidavid of Jno. Vanculin read, Charles Ashcom being a Witness to it.

Annakey Coolin attested, saith her husband tooke the Heart of a Calfe that Dyed, as they thought, by Witchcraft, and Boyled it, wherupon the Prisoner at y^{e} Barr came in and asked them what they were doing; they said boyling of flesh; she said they had better they had Boyled the Bones, with severall other unseemly Expressions.

Magaret Mattson saith that she Vallues not Drystreet's Evidence; but if Sanderlin's mother had come, she would have answered her;

also denyeth Charles Ashcom's Attestation at her Soul, and Saith where is my Daughter; let her come and say so.

Annakey Cooling's attestation concerning the Gees, she denyeth, saying she was never out of her Conoo, and also that she never said any such things Concerning the Calve's heart.

Jno. Cock attested, sayth he Knows nothing of the matter.

Tho: Balding's attestation was read, and Tho: Bracy attested, saith it is a True Coppy.

The Prisoner denyeth all things, and saith that y^e^ Wittnesses speake only by hear say.

After w^ch^ y^e^ Gov^r^ gave the Jury their Charge concerning y^e^ Prisoner at y^e^ Barr.

The Jury went forth, and upon their Returne Brought her in Guilty of haveing the Comon fame of a Witch, but not Guilty in manner and forme as Shee Stands Indicted.

Neels Mattson and Antho. Neelson Enters into a Recognizance of fifty pounds apeice, for the good behavior of Margaret Matson for six months.

Jacob Hendrickson Enters into the Recognizance of fifty pounds for the good behavior of Getro Hendrickson for six months.

Adjourned till y^e^ 20^th^ day of y^e^ first Mo., 1684.

At a Councill held at Philadelphia The 20^th^ day of the 1^st^ month, 1684.

PRESENT:

WM. PENN, Prop^or^ and Gov^r^.

Jam. Harrison,	John Cann,	Wm. Welch,
Thomas Janney,	Tho. Holmes,	Tho. Lloyd,
Chris. Taylor.	Jno. Symcock,	Wm. Clayton,
Wm. Wood.		

Tho. Lloyd, Wm. Clayton, Tho. Janney, Wm. Welch, Jno. Cann and Wm. Wood, attested to Keep Secret the Debates in Council, &c.

Complaint being made to this board of a Notorious Robery comitted on the goods of hannah Saulter, this board was pleased to Issue out a Proclamation for apprehending & Secureing of Such Persons if found in this Province or Territories, or Elsewhere.

Ordered that y^e^ first thing to be done to-morrow be the Running over the Old Laws.

Adjourned till y^e^ 21^st^ 1^st^ Mo. 84.

At a Councill held at Philadelphia the 21th of ye 1st Mo, 1684.

PRESENT:

WM. PENN, Propor and Govr.

Wm. Welch,
Tho. Lloyd,
Tho. Janney,
Wm. Wood.
Tho. Holmes,
Jno. Symcock,
John Cann,
James Harrison,
Chr. Taylor,
Wm. Clayton,

A Debate was held Concerning ye Genall Assembly Sitting at the Towne of New Castle: at Last the Result was that they should Sitt there.

Ordered that two Letters be sent to Kent & Sussex Countyes, Concerning the meeting of ye Genall Assembly, to be held at New-Castle on the 10th 3d Mo., 84.

Wm. Clayton desireing Leave to goe to upland & returne on second day, it was granted him.

Adjourned till ye 24th 1st Mo. 84.

At a Councill held at Philadelphia ye 24th of ye 1st Mo. 1684.

PRESENT:

WM. PENN, Propor and Govr.

Wm. Clark,
Tho. Janney,
Tho. Lloyd,
Tho: Holmes,
Wm. Clayton,
John Cann,
Wm. Welch,
Ja. Harrison,
Luke Watson,
Jno. Symcock,
Chr. Taylor,
Wm. Wood.

They proceeded to have ye Old Laws read Over, and to make remarkes on them.

A Comittee was appointed to Inspect the Margenall notes upon the Old Laws, Vizt: Tho: Holmes, Wm. Welch, Tho: Lloyd; which Comittee will make their report to morrow morning.

The Laws Ordered to be drawn Out wth the reasons & Preamble, And then they pceeded to make an Inspection into ye bills made at Upland.

The Comittee brought in a Bill for Constituteing an Other Councill for State's Matters.

Upon wch there was a great debate, & at Last it fell.

The Same Comittee Appointed to draw up all the Laws as amended and agreed; also to draw up these news Laws.

Adjourned till ye 26th 1st Mo., 84.

At a Councill held at Philadelphia The 26th day of y^{e} 1st month, 1684.

PRESENT:

WM. PENN, Prop^{or} & Gov^{r}.

Wm. Clarke.
Tho. Holmes,
Wm. Welch,
Jno. Symcock,
Tho: Janney,
Luke Watson,
Wm. Clayton,
Ja: Harrison,
Chr. Taylor,
Tho. Lloyd,
Jno. Cann,
Wm. Wood.

A Bill read Concerning the Laws made at Upland, alias Chester, to be Continued wth y^{e} Preamble to y^{e} s^{d} Laws.

A Bill read Concerning repealing or Varring any of the those Laws made at Upland & Philadelphia.

A Debate was held when the Laws should be in force.

Resolved, till 20 days after the riseing of y^{e} genall Assembly, by Publishing them the first Court day after y^{e} Riseing of y^{e} s^{d} Assembly, Except those that have not times Set them.

A Bill read Concerning fines & measures, Printing, Promulgateing of the Laws, w^{ch} are repealed.

A Bill read where in Cases requires Strypes, and they r x not mentioned, that they shall not Exceed One and twenty Strypes.

A Bill was read, that it should be Left to y^{e} Gov^{r} and Prov^{ll} Councill to discourse wth y^{e} Indians concerning an agreem^{t} wth them about letting them have Rum.

The Gov^{r} put y^{e} Quest: All That are of Opinion that y^{e} foregoeing Bills should pass, say Yee; Past in y^{e} Affirmative.

A Bill was read Concerning Strong & Small Beer, mixt or unmixt, Bottled or not Bottled.

The Quest. being put, past in y^{e} Affirmative.

A Bill read Concerning registring of Freemen and Serv^{ts}, being put to y^{e} Quest; past in y^{e} Affirmative.

A Bill read against Bargains made when People are in Drinke: y^{e} Question being put, past in y^{e} Affirmative.

A Bill read Concerning Marriage, wth amendm^{ts} & additions: put to y^{e} Quest., was past in y^{e} Affirmative.

A Bill read Concerning Arests, Speciall Courts, and arresting any psons in any County where he shall be found: Quest: being put, past in y^{e} Affirmative.

A Bill was read Concerning causes to be Tryed by y^{e} County Sessions: Quest: being put, was past in Affirmative.

A Bill was read for Three appraisers, to be chose by the County Court upon Severall occasions, and y^{e} Goods not to be sould under seaven dayes after appraism^{t}, and that they shall be publicly sould: Quest: being put, past in y^{e} Affirmative.

A Bill read to Suppres Ordinary Keepers: Quest: put; past in Affirma.

A Bill read Impowring the Justices of Each County Court to set y^{e} Wages of Workmen & Serv^{ts}, wth a Penalty: Quest: put; past in Affirma.

A Bill read for hemp & flax, Linnen & Wool, on Cloth. Linnen & Woollen Cloth to have a price set upon it by ye County Court, ye hempt at 5d the pound, and ye flax at 8d p pound: Quest: put; past in ye Affirma.

A Bill read for Every man That is three years Seated to Sow a Bushell of Barley: Quest: put, Past in the Affirmative.

A Bill for a Provll Court, Consisting of five Judges, to goe two Cirquits Yearly. Quest: put; past in the Affirmative.

A Bill read for ye Conclusion of ye Laws. Quest put; past in Affirma.

A Bill read that noe Person depart this Province if arrested, till Bail be given. Quest: put; past in ye Affirmative.

The Govr desired to have ye Councill always wth him, wch is nine. The Govr also desired that a Bill may be drawn up that this Towne of Philadelphia might Chose One more Councellor, Bucks One, & Chester One; Otherwise that ye Councill must be Constant, Or make a Bill to allow the Govr to Chuse him a Councill upon all occasions, it being also a great Kindness to ye Countrey.

A Bill also to be drawn to Enlarge ye Councill; that is, to double the number in the Town & County of Philadelphia, made soe as according to Letters Pattents.

Put to ye Quest; past in ye Affirmative.

Tho: Lloyd appoynted to Draw the Bill.

Adjourned to ye 27th 1st Mo., 84.

At a Councill held at Philadelphia ye 27th 1st Mo., 1684.

PRESENT:

Wm. PENN, Propor and Govr.

Tho: Holmes,
Wm. Clark,
Jno. Symcock,
Wm. Welch,
Chr: Taylour,
Luke Watson,
Jam. Harrison,
Wm. Clayton,
Jno. Cann,
Tho: Janney,
Wm. Wood,
Tho: Lloyd.

Wm. Welch proposed a Bill to be drawn to defray the Govrs Table.

Put to ye Question: All that are of Opinion that ye Charges of ye Governmt shall be defrayed by ye People of ye Governmt say yee. Past in the Affirmative.

ADJOURNED INTO A COMITTEE.

Tho. Lloyd, Chairman.

Proposed whether the Law wch was made for ye raising of a Tax should be Continued, or the Method of it for Import or Export.

Put to the Vote, & past in the Affirmative.

And whether ye sd Customs shall be a part of ye Money raised towards the Suporting ye Governmt.

Past in ye Affirmative.

Ordered That a Pole Proportionably Layd, be debated ye first thing to morrow, for defraying the rest of ye Charges of ye Governmt.

Adjourned till ye 28th 1st Mo., 84.

At a Councill held at Philadelphia ye 28th 1st Mo., 1684.

PRESENT:

WM. PENN, Propr and Govr.

Wm. Welch,
Luke Watson,
Wm. Clayton,
Jno. Cann,
Tho: Holmes.
Wm. Clark,
Chr: Taylor,
Tho. Lloyd,
James Harrison,
John Symcock,
Wm. Wood,
Tho: Janney.

Wm. Welch Ordered to bring a Bill for the raising of a Tax for the Support of ye Governmt, and returne it to this board.

Tho: Lloyd makes a report to ye Govrs Councill, that ye Comittee wch he was of had finished that wch they were about, and intend to bring in a Bill to morrow Morning; also, they have agreed that Tho. Lloyd should draw up the remainder of ye Bills and make a returne thereof.

A Bill was read Concerning Three Members to be Chose for ye Councill, & Six for the Assembly, for ye Citty of Philadelphia. Question put; past in ye Affirmative.

Samll Carpenter's Judgmt towards rayseing of a Tax upon Liquors, Vizt: upon Brandy 12d ye Gall; Beer, Ale, Mum, Spanish Wine, 5d p. Gall; Medera, Each Pipe 50s; french Wine 4L. p. Tunn, & Give him this way 1000L. by way of Customs upon goods, is his best advise.

The Govr put ye Quest: all that are of Opinion that Customs shall be put upon Liquors, and that all Rum, Brandy, Wines, & all sorts of strong Liquors & Spirits under ye same head, Imported, shall pay 12d. p Gall, say Yee. Past in Affirmative.

All that are of Opinion that all Strong beer & Cyder shall pay 2d p. Gall, Imported, say yee. Past in Affirmative.

All that are of Opinion that for not due Entry, that ye Law for Abrogateing of ye Law shall make all the Goods a forfeiture, say yee. Past in the Affirmative.

Adjourned till ye 29th 1st Mo., 84.

At a Council held at Philadelphia ye 29th of ye 1st Mo., 1684.

PRESENT:

WM. PENN, Propor and Govr.

Wm. Welch,
Jno. Cann,
Tho. Janney,
Tho: Holmes,
Luke Watson,
Jno. Symcock,
Chr. Taylor,
Wm. Wood,
Wm. Clark.
Tho. Lloyd,
Ja. Harrison,
Wm. Clayton,

A Bill was read Concerning Members to be Chosen for ye Citty of Philadelphia; read a Second reading.

A Bill read that Councellors neglecting their duty, that Others may be Chose to serve in their roome. Read a first reading.

Ordered that yᵉ Bill of Customs be read on yᵉ second day next; referred to Wm. Welch to draw up.

Adjourned till 31th 1st Mo., 84.

At a Councill held at Philadelphia The 31th day of yᵉ 1st month, 1684.

PRESENT:

Wm. PENN, Propʳ and Govʳ.

Wm. Welch,	Jno. Cann,	Jam: Harrison,
Wm. Clayton,	Luke Watson,	Tho. Janney,
Wm. Clark,	Chr: Taylor,	Tho. Holmes,
Tho. Lloyd.		

Wm. Welch Brought in yᵉ Bill of Custom; which was read a first reading.

Ordered a Second reading this night.

A Bill read Concerning Bargains made in Drinke.

Read a Second reading.

A Bill Concerning Steeling Cattle, good, or Rayment, Ordered to be drawn by Tho. Lloyd.

A Bill read Concerning Exportation of deer Skinns; read a Second reading.

Ordered that yᵉ Last reading of the Bill of Customs be read to-morrow morning.

The Petition of Samˡˡ Hersent was read, Concerning yᵉ finishing of yᵉ Prison.

He is referred to yᵉ Justices of yᵉ County Court.

A Bill Concerning Steeling of Cattle read a first reading; past in the Affirmative.

A Bill was drawn Concerning Our Governmᵗ Joyning wᵗʰ West Jarsey, for all Warrants to apprehend all Persons by Law punishable. Ordered to be read to-morrow morning.

Tho. Lloyd & Wm. Welch Ordered to draw two Bills into One, Concerning the Preservation of yᵉ Propʳ & Govʳ, & his houshold.

Adjourned till 1st 2d Mo., 84.

At a Councill held at Philadelphia yᵉ 1st of yᵉ 2d Mo., 84.

PRESENT:

Wm. PENN, Propʳ and Govʳ.

Wm. Welch,	Tho. Lloyd,	Wm. Clayton,
Tho: Holmes,	Chr: Taylor,	Wm. Wood,
Jno. Cann,	Jam: Harrison,	Wm. Clarke,
Lu: Watson,	Tho. Janney,	Jno. Symcock,

Charles Pickerin being Sent for before this Board, Declares he heard most of yᵉ People of yᵉ County of Kent's Passages, and read the

Answers which they gave to Baltemore People: Also, he Suspect most of them are resolved to revalt, because Gov^{r} Penn hath broken his Promise, by not Entring and Clearing y^{e} Vessells at New Castle: Also, if they doe it, Baltemore will Stand by them.

Jno. Richardson, Tho. Heather & Tho. Wilson, made a Complaint against this Governm^{t}, & made their address to y^{e} L^{d} Baltemore, that they were Taxt to much; he Thinks francis Whitwell and Jno. Hilliard are psuaded to the rest.

Jno. Richardson's Land was sued for in Maryland.

The Bill Concerning the Union between us and West Jarsey, to have Liberty to psecute Offenders in y^{e} s^{d} West Jarsey, was read and Left to a Treaty with Them.

A Bill to Prosecute Persons That put Water into Rum, &c., was read, & past y^{e} first reading in y^{e} Affirmative.

A Bill read Concerning Persons Chose to serve in Prov^{ll} Councill, y^{t} if they doe not serve in their Stations, or Persons of Ill fame, to be fined forty Shillings a day.

Read a Last reading; past Nemine Contradicente.

The Preamble read, wth The additionall Laws.

Three Bills read a Last reading and past Unanimously.

A Bill read Concerning y^{e} Price of all Beer; past the Last reading Unanimously.

A Bill of Registrey read a Last reading and Past Unanimously.

A Bill about Drunken Bargains being made Voyd, past y^{e} Last reading Unanimously.

A Bill about Steeling Liveing or dead goods past a Last reading Unanimously.

A Bill about Marriage past a Last reading Unanimously.

A Bill about arests, by proveing his debt and takeing him in any County, and Concerning Members of Prov^{ll} Councill and Assembly not to be arested before such time allowed them; Past a Last reading Unanimously.

A Bill that all fines & Taxes to be Assessed by distress of goods; also, the Court to Set Workmen's Wages; Past a Last reading Unanimously.

A Bill that flax, hempt, Linnen & Woolen Cloth, of y^{e} Produce of this Countrey, to goe as Currant pay; Past a Last reading Unanimously.

A Bill for sowing Barley past a Last Reading Unanimously.

A Bill that Every Court of Justice shall be a Court of Equity as well as Law; also, a Prov^{ll} Court for Quarter Sessions; past a Last reading Unanimously.

Put to y^{e} Question: All that are of Opinion that there shall be a Prov^{ll} Court, Consisting of five Judges, to Try all Criminalls & Titles of Land, and to be a Court of Equity, to deside all Differences upon appeals from the County Courts, say yee. Past in y^{e} Affirm: Nemine Contradicente.

A Bill to Establish Apraisers in Each County, Past a Last reading Unanimously.

A Bill about Ordinary Keepers &c., past a Last reading Unanimously.

A Bill about Deer Skins not to be Exported till first put to Sale; Past a Last Reading Unanimously.

A Bill for ye Continuance of ye Laws; past a last reading Unanimously.

A Bill of Customs read a Last reading: past Unanimously.

A Bill for the Preservation of ye Govrs Person; past a last reading Unanimously.

Ordered that the seeing to the Bills fairly to be transcribed and Examined by the Originalls, be referred to Tho: Lloyd, Wm. Welch. Tho: Holmes, and Wm. Clark. The same Comittee to draw up Orders for this board for preparing, proposing & Resolving, against their next Meeting.

Put to ye Question: all that are of Opinion that ye Genall Assembly shall meet at New Castle for this time, say yee; past in the Affirmative.

Adjourned till ye 2d 2d Mo., 1684.

At a Councill held at Philadelphia The 2d of ye 2d month, 1684.

PRESENT:

Wm. PENN, Propor and Govr.

Wm. Welch,
Tho: Holmes,
Jam. Harrison,
Wm. Clarke,
Jno. Symcock,
Wm. Wood,
Jno. Cann,
Luke Watson,
Tho. Janney,
Wm. Clayton,
Tho: Lloyd,
Chr: Taylor.

A Bill Concerning Lands, Corne, beef, Pork, Tabacco, Hides, &c. to goe for Currant pay; past Nemine Contradicente.

Ordered that there be an exact Acct Kept of the members of Provll Councill, that yearly goe of and Yearly are Chosen to serve there in.

Quest put: all that are of opinion that halfe of an Intestate's Estate shall goe to ye Wife, say yee.

Past in ye Affirmative, that she shall have no more.

All that are for having Intestate's Estates devided Equally, provided the Eldest Sonn shall have halfe of ye reall and Personall Estate, and ye rest to be devided Equally amongst the rest of the Children, say yee: past in Affirmative.

A Bill to Limitt the Disposall of Estates read a Last reading: Past in the Affirmative.

Ordered that James Harrison, Wm. Welch, Jno. Symcock and Jno. Cann, goe to Kent County wth a boat and good attendance, to know what the reasons is that francis Whitwell, Jno. Hilliard & Jno. Richardson, doe not Come up to Councill to give their attendance.

A Commission Ordered to be drawn from this Board, under the Govrs hand and Seale, he haveing heard of some Misdemeanors in Kent County, to Impower Wm. Welch, &c.

You of this Board that are of Opinion that ye Govr shall draw up a Comission in behalfe of himself and this board, and also draw up Instructions in Order to the same, say yee: past Nemine Contradicente.

Adjourned till yᵉ 3ᵈ 2ᵈ Mo., 84.

At a Councill held at Philadelphia The 3ᵈ day of yᵉ 2ᵈ Mo., 1684.

PRESENT:

WM. PENN, Propʳ and Govʳ.

Tho: Holmes, John Cann, Wm. Wood,
Jam: Harrison, Wm. Welch, John Symcock,
Tho: Janney, Tho: Lloyd, Luke Watson.
Wm: Clayton, Chris: Taylor,

The Comission wᵗʰ Instructions for Wm. Welch, &c. was read by the Govʳ for them to Act after.

Wm. Clayton, Wm. Wood, Chr. Taylor, Tho. Holmes & Tho. Lloyd, Ordered to Stay with & attend yᵉ Govʳ.

All that are of Oppinion that yᵉ Govʳ shall appoint some distinction for the Councellors, say yea: past Nemine Contradicente.

It is Left to yᵉ Govʳ in a Small Councill, to send Agents to York Concerning yᵉ Publick affairs of this Province; and also to acquaint the Govʳ of York of the abuse of the Lᵈ Baltemore's Agents.

Adjourned till yᵉ 7ᵗʰ 2ᵈ Mo., 84.

At a Councill held at Philadelphia yᵉ 7ᵗʰ of yᵉ 2ᵈ Mo., 1684.

PRESENT:

WM. PENN, Propʳ and Govʳ.

Chr: Taylor, Jno. Hilliard, fran: Whitwell,
Jam. Harrison, Wm. Clark, Tho. Holmes,
Jno. Symcock, Wm. Clayton, Tho. Lloyd,
Luke Watson.

The Govʳ desired to know what is best to doe, they haveing heard Wm. Welch & Abra. Mans' Letters.

Francis Whitwell Informes yᵉ Councill that yᵉ Lord Baltemore's Comissʳ Murfey, was at Wm. Darvall's, Jno. Richardson's, Jno. Brigg's, Tho. Heather's houses; also, Jno. Hilliard Saith he heard the same.

Ordered that the Clarke take it under franc. Whitwell's & Jno. Hilliard's hand, that the Govʳ of New York Ordered them to Stand to the Duke's Intrest.

The Question was put whether any One should be sent to the Lord Baltemore, to acquaint him of the Coll. Talbot's Unmill. Actions; also, of Marfey's, in the Lower Countyes: past in yᵉ affirm.

Resolved, that orders be sent to Wm. Welch for the Removall of the forceable Entrey of the L^d Baltemore, and to Prosecute the Persons Legally; also, to have some things Coppied Out of y^e Duke's Laws, and sent him.

Ordered that some Persons goe to y^e Lower Countyes to Settle y^e minds of y^e people.

Question was put: all that are of Opinion that they w^{ch} goe downe to Assist Wm. Welch, shall take a Coppy with them of Gov^r Penn's Answer to y^e Lord Baltemore's Demand, and that One or two more goe along with them that Live there. Past Nemine Contrad.

Jno. Hilliard also declared he heard Wm. Darvall forbid the People to pay Taxes to Gov^r Penn.

Ordered, that noe One goe to the Lord Baltemore till such time as y^e members of this County, with the memb^{rs} of y^e Lower Countyes. have been to Inspect the Transactions of the Lord Baltemore There.

Adjourned till y^e 8th 2^d Mo., 84.

At a Councill held at Philadelphia y^e 8th of y^e 2^d Mo., 1684.

PRESENT:

Wm. PENN, Prop^{or} and Gov^r.

Tho. Lloyd,	Jam. Harrison,	fran. Whitwell,
Wm. Clayton,	Jno. Symcock,	Jno. Hilliard,
Wm. Clark,	Luke Watson,	Wm. Woods.

Question was put by y^e Gov^r whether Talbot should, as a Quiet Traviller, pass the Contrey, or be Taken hold of for his Actions at New Castle.

Ordered, that a Proclamation be Issued out to apprehend those who made Violation into this Contrey, as y^e Gov^r shall see ocasion.

Adjourned till y^e 10th 3^d Mo. 84.

At a Generall Assembly held at New Castle, for the Province of Pennsilvania & Territories thereunto Belonging, The 10th day of the Third month, 1684.

PRESENT:

Wm. PENN, Prop^{or} and Gov^r.

Tho. Lloyd,	Tho. Holmes,	Tho. Janney,
Jno. Symcock,	Wm. Welch,	Wm. Clayton,
Chris. Taylor,	Ja: Harrison,	Jno. Cann,
Wm. Southersby,	Jno. Hilliard,	Wm. Wood.

Adjourned to y^e Assembly for halfe an hour, and then returned againe.

These Returnes were brought by y^{e} respective Sherrifs this day, Viz^{t}: Philadelphia, Chester, New Castle, Kent and Sussex.

The Gov^{r} Informes the Councill that he had Called the Indians together, and proposed to them to Let them have rum if they would be Contented to be punished as y^{e} English were; which they did agree to, provided that y^{e} Law of not Selling them Rum be abolished.

The Assembly attended this board & presented a Speaker, which was Nicholas Moore, &

Adjourned till the Afternoone.

POST MERIDIEM.

The Gov^{r} Ordered the two Comiss^{rs} that went to York to give an acco^{t} of y^{e} affair they went theither about, w^{ch} accordingly they did.

The Clark of y^{e} Councill was sent with a Coppy of y^{e} Bills and a Coppy of y^{e} Charter, to the Assembly.

Adjourned till y^{e} 12th 3^{d} Mo., 84.

At a Councill held at New-Castle y^{e} 12th of y^{e} 3^{d} Mo., 1684.

PRESENT:

WM. PENN, Prop^{or} and Gov^{r}.

Wm. Welch,
ffran: Whitwell,
Luke Watson,
Wm. Southersby,
Christ. Taylor,
Wm. Haigue,
Edw^{d} Southrin,
Tho: Lloyd,
Jno. Hilliard,
Wm. Clayton,
Edm^{d} Cantwell,
Jam: Harrison,
Wm. Wood,
Jno. Symcock,
Tho: Janney,
Tho. Holmes,
Jno. Cann,
Wm. Clark.

Wm. Welch desired that a Comittee may be appointed to meet any of y^{e} Assembly men to Informe Concerning the Laws and to receive proposalls from y^{e} Assembly, in relation to the Bills already prepared.

A Committee was appointed, Viz^{t}: Tho. Lloyd. Wm. Welch, Jam: Harrison, Jno. Cann, Tho: Holmes.

Ordered that a Bill be drawn to amend the Law Concerning Registrey.

Also, that a Proclamation be Issued Out to give a Longer time to Record their Pattents.

Ordered that y^{e} Clark acquaint the Assembly that a Comittee is appointed by the Gov^{r} & Councill, to receive any amendm^{ts} or Alterations in the Publisht Bills, according to Charter.

Adjourned till y^{e} Affternoone.

POST MERIDIEM.

The Petition of Evert Hendricks read. Ordered, that he be referred to y^{e} County Court of New Castle.

The Petition of Mathias Mathiason read; he is referred to y^{e} County Court of New Castle.

Alse Williams' Petition read. She is advised to make the Business up between themselves; Other ways to have it Tryed by the County Court.

Adjourned till y^{e} 13th 3^{d} Mo., 84.

At a Councill held at New Castle The 13th day of The Third Mo., 1684.

PRESENT:

Wm. PENN, Propor and Govr.

Chr. Taylor,
Tho. Lloyd,
Jno. Cann,
Jam: Harrison,
Edmd Cantwell,
Wm. Southersby,
Wm. Clayton,
Tho: Holmes,
Tho: Janney,
Wm. Welch,
John Symcock,
Luke Watson,
Wm. Wood,
ffran. Whitwell,

Andrew Johnson, Pl.,
Hance Peterson, Deft.

There being a Difference depending between them, the Govr & Councill advised them to shake hands, and to forgive One another; and Ordered that they should Enter in Bonds for fifty pounds apiece, for their good abearance; wch accordingly they did. It was also Ordered that the Records of Court Concerning that Business should be burnt.

Peter Bawcum makeing Complaint for his fees, Ordered That Phil: Lemane Write a Letter to ye Justices of the Peace of Kent County, to see that Peter Bawcum have his Just fees due to him.

Ordered that Tho. Lloyd, Chr: Taylor, Jno. Symcock, Luke Watson, Edmd Cantwell, fran. Whitwell attend ye Govr the Ensueing month, from the Riseing of the Genall Assembly.

Ordered That Wm. Welch, Tho: Holmes, James Harrison, Wm. Wood, Wm. Clark & Wm. Southersby, attend the Govr the Second month affter the Riseing of ye Genall Assembly.

Ordered That Tho: Janney, Jno. Cann, Wm. Haigue, Wm. Clayton, Edwd Southrin & Jno. Hilliard, attend ye Govr ye 3d Month after ye rising of the Gnall Assembly.

Peter Bawcum declareth that Wm. Darvall denyed him a Warrt to seize Murfey, the Lord Baltemore's Agent.

Adjourned till ye 14th 3d Mo., 84.

At a Councill held at New Castle The 14th of ye 3d month, 1684.

PRESENT:

Wm. PENN, Propor and Govr.

Chris: Taylor,
fran. Whitwell,
Jno. Symcock,
Edmd Cantwell,
Tho: Holmes,
Jno. Cann,
Tho: Janney,
Wm. Welch,
Wm. Clayton,
Luke Watson,
Tho: Lloyd,
Wm. Wood,
Wm. Southersby,
Jam: Harrison,

The Sense of ye Govr is, that yr Assembly ought to have their full time of Eight day to peruse the Bills to be past into Laws Observed.

Quest: Whether the Sessions of ye Genall Assembly may be determined within nine days, without Violation of Charter; also, whether the Gov^{r} and Councill can dismiss the Gnall Assembly before the Terme of Eight days, they haveing dispatcht the Buisness proposed to them by y^{e} Gov^{r} & Councill provided they desire it; past in the Affirmative.

Adjourned till Afternoone.

POST MERIDIEM.

Wm. Clark Sent a Letter to y^{e} Gov^{r} and Councill, which was attested by severall of y^{e} Councill & Assembly, of his Ilness; whereupon he was Excused.

Question was put, whether y^{e} Memb^{rs} absent should be fined five Shilling a Day for not appearing now in Councill, and also at y^{e} Preparing of y^{e} Bills, Say yee: Past in y^{e} Affirmative.

All that are of Opinion that they shall pay it without remission, Except they can give a good reason to y^{e} Contrary, Say yee; past in the Affirmative.

Quest: put, whether the Sherriff Shall not be writ to for to Levie the Goods & Chatles of y^{e} members Absent for y^{e} paying y^{e} five Shillings a day for their Neglect, Say yee; past in the Affirmative.

Adjourned till y^{e} 15th 3^{d} Mo., 84.

At a Councill held at New Castle the 15th of the 3^{d} month, 1684.

PRESENT:

WM. PENN, Prop^{or} and Gov^{r}.

Wm. Welch,
Tho: Holmes,
Tho: Lloyd,
Edm^{d} Cantwell,
Jno. Symcock,
Wm. Southersby,
Tho: Janney,
Jno. Cann,
Wm. Wood,
Luke Watson,
Chris: Taylor,
Jam: Harrison,
Wm. Clayton.

Two Members of y^{e} Assembly were sent to the Councill to know if the Comittee of the Councill were ready to receive their proposalls: they were answerd they had been ready Ever since Eight in y^{e} Morning.

Adjourned for two hours into a Comittee before appointed.

Agreed by the Assembly That a Coppy of their amendm^{t} be left wth y^{e} Clark of y^{e} Councill; also, they desire the Laws to Runn the Gov^{r} & Prov^{ll} Councill.

The Comittee Informes the Assembly that the Gov^{r} hath Power in the Charter to Chuse Judges Dureing his Life.

Quest: by the Assembly, whether all Laws Constituted to hold from a Certaine Time can be without y^{e} Consent of the Assembly.

Quest: whether in y^{e} Bill for y^{e} Preservation of y^{e} Gov^{rs} Person, Compass or Endeavour be not Sufficient, and Imagine, Intend or Devise: and likewise to Continue these Words, Writeing, Printeing, or

Acting, Only Speaking to be obmitted; and that two or more Witnesses should be to the Conviction of a Person to one and the same Act; The Word Otherwise to be left Out.

The Assembly agree to the Word Maintaining of the Goverr Insteed of Imposition; also, to ad to ye same bill, not being of the Naturall groath of the Province, nor any part thereof nor is nor are Exported from other Parts.

The Words Imported into any Parts to be raced Out, and that noe One shall goe on board to Rumage the Shipps before the goods are delivered on Shore.

The fifth Parragraph to runn after their amendmts, ye Word Proprieor to be put out of ye Bill of Excise, and Wm. Penn put in.

Breaking open doors to be raced Out, and by due course of Law to be put in.

In the Seaventh Paragraph & 7th Line thereof, to be them as in their Amendmts; the 10 Line also to be Altered; the 9th Paragraph; the 8 Line to be raced Out.

Adjourned till Afternoone.

POST MERIDIEM.

Jos. Growdon and Jno. White came from the Assembly wth some Proposalls for amendmts, Vizt:

Quest. Put, whether the Bill to have five Provll Judges Chose by ye Governr & Provll Councill to Stand as formerly it did, say yee; past in ye Affirmative.

Abram May and ffrancis ffincher Came from ye Assembly, desireing other Amendmts.

Quest. put, all that are for having the Word Excise insteed of Imposition, say yee; past in Affirmative.

All that are for haveing the Tax upon Rum and other Liquors to goe by the name of Publick Aid, Say yee: past in Affirmative.

Ordered that four of ye Members of this board acquaint the Assembly of their Breach of Priviledge, and that they send their amendmts in short, and reprove henry Stretcher for being dis Ordered in Drink.

Adjourned till ye 16th 3d Mo., 1684.

At a Councill held at New Castle ye 16th of ye 3d Mo., 1684.

PRESENT:

WM. PENN, Propor and Govor.

Wm. Welch,	Jno. Cann,	Tho. Janney,
Ja. Harrison,	Wm. Wood,	Tho: Holmes,
Wm. Clayton,	Ch: Taylor,	Luke Watson,
Edmd Cantwell,	Wm. Southersby,	Jno. Symcock.
Tho: Lloyd,		

The Gov^{r} Entred into a Conferrance wth y^{e} Assembly, and they accepted of Objections of the Gov^{r} and Councill upon Amending their proposalls.

Adjourned till Affternoone.

POST MERIDIEM.

ffrancis Whitwell was sent for by the Messinger of the Councill, to appear and give reasons why he was absent two days: he sends word he is not able to Come; Whereupon he is Excused.

Quest. put: all that are of Opinion that the Bill of Excise shall be drawn, Say yee: Past in Affirmative.

All that are of Opinion that a Bill shall be drawn, wth y^{e} Proposalls of Amendm^{ts} put in, Say yee: Past in the Affirmative.

And that the Act to be Called publick Aid, by way of Defraying the Publick Charge of y^{e} Governm^{t}, to be pay^{d} to the Collect^{r} by a Warrant from the Gov^{r} and Councill, say yee: Past in the Affirmative.

All that are of Opinion, that Wm. Welch should draw the Bill, say yee, to be brought in to morrow morning: Past in the Affirmative.

The Speaker of the Assembly, wth Jos: Growdon and Jno. White, Members thereof, attended this board wth y^{e} proposall of Amendm^{ts} more at Large, their Clarke having made a mistake before.

The Gov^{r} Informed the Councill, that harman & Moll had Each of them two or three Pattents from Baltemore.

The Proposes to make an address from the Body of y^{e} Governm^{t} to the King & Duke, Concerning Allarms & Building forts, to the Amazem^{t} of the People.

And also his giving away the Souldiers' Lands, who Took the Place.

ffrancis fincher & Jos. Gowdon were Sent to be Informed Concerning repealing the Old Laws.

Adjourned till y^{e} 17th 3^{d} Mo.. 84.

At a Councill held at New Castle y^{e} 17th 3^{d} Mo., 1684.

PRESENT:

WM. PENN, Prop^{or} and Gov^{r}.

Tho. Lloyd,
Tho. Holmes,
Edm^{d} Cantwell,
Tho. Janney,
Chr: Taylor,
Jno. Cann,
Wm. Clayton,
Ja: Harrison,
Wm. Wood,
Jno. Symcock,
Luke Watson,
Wm. Southersby.

John Songhurst and Jno. Hart declare they heard the Speaker say that the Proposed Laws Were Cursed Laws. Jos. Growdon & ffran. ffincher, also were present at Jno. White's when the Laws were read Over, and he said hang it, Damn them all.

Ordered that Wm. Welch & Tho. Lloyd goe to the Assembly to lett them know that they have been soe long un-Dispacht of the Buisness proposed, that the Gov^r Takes it very ill.

Edm^d Bennet Sent from y^e Assembly to desire a Conferance with the Comittee of y^e Councill.

Wm. Welch Brought in the Bill of Publick Aid w^th Amendm^ts.

Adjourned till Afternoone.

POST MERIDIEM.

The Gov^r & Councill Adjourned to the Assembly.

The Assembly desire to know whether they have not Liberty to disallow of the old Laws if they think fit, Viz^t:

15. Law prohibiting Rum to the Indians.
44. Registring Bills & Bonds, &c.
85. fidelity to Wm Penn; Else to forfeit their Lands.
115. In not promiseing Obedience to the Laws.

Also, the Law for not Killing Cow Calves & Ewe Lambs.

The Councill Adjourned to Wm. Welch his house.

The Speaker, Jno. Songhurst and Jno. White, Came from the Assembly, desireing One Amendm^t in y^e Bill of Public Aid, to Witt: to have all Rum made of Mollosses put in it: being put to the Quest., was past in the Affirmative.

All that are of Opinion that y^e Gov^r should make this answer, that he intends to forgive the Offence of Killing Ewe Lambs, say yee: past in Affirmative.

Registring of Bills & Bonds, &c., being a fundamentall, cannot be lett drop.

The Law of Selling rum fall of it selfe.

The Law of forfeiting Estates upon Disobedience to y^e Laws being but y^e Taile of a Law, it cannot be amended: not Lett fall.

Which Answers was given to the Speaker, francis ffincher, Jno. Hart, John Blumston & Jno. Otter, to Informe the Assembly.

Put to y^e Quest. whether Wm. Welch should not draw up the Provisor in the Bill of Public Aid, say yee: Past in Affirmative.

All that are of opinion that registring of families shall goe at three pence Each head, say yee: Past in Affirmative: this I was sent with to y^e Assembly.

Jno. Bellaing's Petition read Concerning y^e appraisem^t of y^e Comiss^rs upon the Estate that was Luke Watson.

Adjourned till y^e 19^th 3^d Mo., 84.

At a Councill held at New Castle The 19^th of y^e 3^d Mo., 1684.

PRESENT:

WM. PENN, Prop^or and Gov^r.

Tho. Lloyd,	Ja. Harrison,	Jno. Cann,
Wm. Welch,	Tho. Janney,	Edm^d Cantwell,
Tho. Holmes,	Wm. Clayton,	Wm. Wood,
Chr. Taylor,	Wm. Southersby,	John Symcock,
Luke Watson.		

The Gov^{r} & Prov^{ll} Councill have added Wm. Welch to the number of y^{e} Comittee to Settle the regulation of y^{e} Revenue.

This day y^{e} Prov^{ll} Councill & Assembly met, and the Bills were read Over and the Motives and reasons Layd open by y^{e} Gov^{r}, and soe Past in to Laws.

Adjourned till y^{e} 22th 3^{d} Mo., 84.

At a Councill held at New Castle The 22th of y^{e} 3^{d} Mo., 1684.

PRESENT:

WM. PENN, Prop^{or} & Gov^{r}.

Wm. Welch,
Tho. Holmes,
Ja. Harrison,
Wm. Clayton,
Tho. Janney,
Luke Watson.

Moved that a Comittee be appointed to Inspect the Journall of the Last Sessions of y^{e} Prov^{ll} Councill & Genall Assembly. Wm. Welch, Tho. Lloyd & Tho. Holmes, were the Men appointed: also, to Inspect both former & Latter Laws.

Ordered that y^{e} Coppys Transmitted to Each County be Exact.

It being moved in Councill where the Charter of Liberty were to be Kept and if to be Exemplified to y^{e} respective Countyes, being put to y^{e} Question.

It was agreed that the Originall should Lie in the hands of the Master of the Roles, for y^{e} time being, and that a Coppy thereof be Exemplified to Each respective County, under the Great Seale, One being first finish for the Gov^{rs} Proper Acc^{t}.

In Persuance of an Order of a full Prov^{ll} Councill & Assembly. Memorendum, Viz^{t}:

The Words hath granted unto me the said Wm. Penn, my heirs and Assigns, interlined between y^{e} fifth & sixth Line of y^{e} first Skin of this Charter, and the words twentieth in the fourteenth Line of y^{e} Second Skin, Changed to the word tenth, as now it is, was thus amended by y^{e} Consent of y^{e} Gov^{r} & Prov^{ll} Councill & Assembly at NewCastle, Mett y^{e} 16 day of y^{e} 3^{d} mo., 1684, as being only defects of Clarkship in the Transcribing, as apears by y^{e} Act of union & Settlement. This was done in the Presents of the Members above Mentioned.

It was moved that Sam^{ll} Carpenter Should be sent for, to be discoursed withall about farming the Excise, but he declined it. Adjourned till the Afternoone.

POST MERIDIEM.

The Receiver of y^{e} Publick Aid or Deputy Treasurer, to have 50lb. yearly ducring the Treasurer Absence.

One Inferior receiver in Every County, who shall receive directions from y^{e} Deputy Treasurer, who shall receive Instructions from y^{e} Gov^{r} and Councill; who Shall not be allowed above 20lb. p. year.

Ordered that Benja. Chambers or Sam^{ll} Hersent, be for Philadelphia; Wm. Biles, for Bucks; Tho. Usher for Chester; Sam^{ll} Land for New Castle; Richard Mirchell for Kent; a man to be nominated by two or three of the magistrates, for Sussex.

Ordered that a blanke Comission be sent downe.

Adjourned till y^{e} 29th 3^{d} Mo., 84.

At a Councill held at Philadelphia The 29th of y^{e} 3^{d} Mo., 1684.

PRESENT:

WM. PENN, Prop^{or} and Gov^{r}.
Wm. Welch, Tho. Lloyd, Tho. Holmes,
Wm. Clayton, Luke Watson.

The Gov^{r} put y^{e} Question: All that are for the receiver of the Publick Aid, Called Comissioner, duering y^{e} absence of the Treasurer, say yee: past.

Question: Whether Wm. Welch should be the person: Past in Affirmative. His Comission was read and approved off.

Ordered that y^{e} Comiss^{r} give Comissions to under Officers.

The Comissions and Attestations were read and Liked of: also, the forme of the Bond the under Officers are to give and their Instructions, were read & Liked off.

Ordered that the Comiss^{r} give other Instructions to the Inferior officer for the Improveing the said Act according to Law.

Ordered that Wm. Welch have a Gen^{ll} Comission of y^{e} Peace for the Province & Territories, and also the under Officers to have Comissions to Clear all Ships.

The Gov^{r} Proposeth to send a Proclamation along with the Law of Publick Aid; which was w^{h} One Consent agreed upon.

The Gov^{r} and Councill Ordered that these Persons following attend the Councill y^{e} 30th Ins^{t} by 7 in the Morning: Jno. Day, Jno. Songhurst, Tho: Winn, Tho: Hooton, Sam^{ll} Carpenter, Jno. Jones, James Claypoole, Jno. Test, Patrick Robinson.

Adjourned till y^{e} 30th 3^{d} Mo., 84.

At a Councill held at Philadelphia y^{e} 30th 3^{d} Mo., 1684.

PRESENT:

WM. PENN, Prop^{or} and Gov^{r}.
Wm. Welch, Tho: Lloyd, Wm. Clayton.
Tho: Holmes, Luke Watson,

The Persons Ordered to Attend the Councill Came Accordingly, and were discoursed Concerning the Bill of Publick Aid, and Considering the whole matter. Pat. Robinson, Jame Claypoole, John Songhurst, Sam^ll Carpenter, Tho: Winn, and Jno. Jones, were nominated to be persons to gett in the moneys arising by the same:

Who, if they accept of it, they shall not only be made savers if they give in a Just account, but Gaynours. They are to give in an acc^t hereof at 6 a Clock to night.

Adjourned till 6 in the Evening.

POST MERIDIEM.

The Persons returne with this Answer:

Sam^ll Carpenter Offers, and all of them are willing that a Survey may be made upon their goods, and think they shall raise three hundred Pounds or more amongst friends that may answer the thing Intended; also, that they will give an acc^t thereof, and get the Inscriptions to be in Lew of the Other Ingagem^ts.

Adjourned till y^e 31^th 3^d Mo., 84.

At a Councill held at Philadelphia y^e 31^th of the 3^d month, 1684.

PRESENT:

WM. PENN, Prop^r and Gov^r.

Tho: Holmes,	Tho: Lloyd,	Wm. Clayton.
Wm. Welch,	Luke Watson,	

The Persons before Mentioned Concerning the bill of Publick Aid, now being come w^th their proposalls Concerning the same, The Gov^r & Councill Ordered the reading of them, and give this Answer:

[No answer given.—ED.]

Adjourned till y^e 3^d of y^e 4^th Mo., 84.

At a Councill held at Philadelphia The 3^d 4^th Mo., 1684.

PRESENT:

WM. PENN, Prop^or and Gov^r.

Tho: Lloyd,	Wm. Welch,	Luke Watson.
Tho: Holmes,		

Samuel Lands' Letter was read, Concerning Coll. Geo: Talbot's goeing w^th three Musqueters to y^e houses of Widdow Ogle, Jonas Erskin & Andreis Tille, and tould them that if they would not forthwith yield Obedience to y^e Lord Baltemore, & Own him to be their Prop^or, and pay rent to him, he would Turne them out of their houses and take their Land from them.

Tho: Holmes, Wm. Welch, Tho: Lloyd, apointed to be a Comittee to Looke into the Actions of y^e Lord Baltemore, and to draw up a Declaration to hinder his Illegall proceedings.

The Petition of Wm. Darvall, Concerning a Bastard Child was read, and referred to ye same Comittee.

Another Petition of Wm. Darvall's, Concerning his Disloyalty to ye Govr, in Denying to pay his rent, and advising Others the same; Also, Concerning the Govrs Letter, and denying to grant a Warrt to apprehend men coming out of Maryland, all wch is referred to ye same Comittee.

Adjourned till ye 4th 4th Mo., 84.

At a Councill held at Philadelphia, ye 4th of ye 4th month, 1684.

PRESENT:

Wm. PENN, Propor and Govr.

Wm. Welch, Tho: Holmes, Wm. Clayton.
Tho: Lloyd, Luke Watson,

Wm. Darvall withdrew his Petitions, & therefore the Comittee made there returne, Thus: That he having soe done, they would Let the Buisness fall.

The Govr was pleased to bring in a Declaration to quell the People of Maryland.

Adjourned till ye 11th 4th Mo., 1684.

At a Councill held at Philadelphia ye 11th of ye 4th month, 1684.

PRESENT:

Wm. PENN, Propor & Govr.

Wm. Welch, Wm. Clayton, Tho: Holmes,
Wm. Clark, Tho: Lloyd, Luke Watson.
Emdd Cantwell,

The Govr informes the Councill that he sent a Letter to Coll. Talbot, to know what ye Lord Baltemore would doe in answer to Govr Doungan's Letter, which was to this Effect: to Lett things remaine as they were, till such times as there is a Decision made by ye King & Councill; he also will stay his Declaration till he heares what Talbot Sayes.

Ashcom's Letter was read Concerning Talbot.

Samll Lands' Letter was read, informing the Govr and Councill that Jonas Askins heard Coll. Talbot say, that if Govr Penn should come into Maryland, he would Seize him & his retairce* in their Journey to Susquehannah fort.

Ordered that Wm. Welch doe take ye Attestation of Jonas Askins, Concerning what Talbot said unto him, or any of those adherent to him.

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*Should be retinue.

THE TITLE OF A DECLARATION.

By Wm. PENN, Prop^{or} & Gov^{r} of y^{e} Province of Pennsilvania & Territories Thereunto belonging: By and with y^{e} advice & Consent of y^{e} Prov^{ll} Councill of y^{e} same.

Wm. Welch is granted Leave to goe home.

Adjourned till y^{e} 12th 4th Mo., 84.

At a Councill held at Philadelphia y^{e} 12th 4th Mo., 1684.

PRESENT:

WM. PENN, Prop^{or} and Gov^{r}.

Wm. Clark,	Luke Watson,	Tho: Holmes,
Wm. Clayton,	Edm^{d} Cantwell.	Wm. Haigue.
Tho: Lloyd,		

Wm. Clark Complains of Wrong done him by false reports of things done amiss in Open Court. The Persons names is Jno. Edminson and Wm. Darvall.

The President's being Memb^{r} of Councill, are appointed a Comittee to Inspect the Virginia Laws, and to prepare such things out of them as may be Usefull for this Province, against the Next Genall Assembly.

Ordered that Jno. Edminson & Griffith Jones, be Sent for.

Griffith Jones being attested, Saith that about y^{e} 5th Inst., John Edminson said before him & others at Capt. Brigg his house, that Wm. Clark, in shoeing y^{e} Difference between the Lord Baltemore's Government and this, & how much Easier it was to Live under this Government, then his tould soe many lyes and Untruths against the Lord Baltemore's Governm^{t}, that he could hardly bear with him; and further adds, that he, y^{e} said Edminson, said that he was goeing to Gov^{r} Penn for Pattents for his Land in y^{e} County of Kent, and when he had got them, he would goe to y^{e} Lord Baltimore and gatt his Pattents for y^{e} said Land. Jno. Edminson Stands to y^{e} same, and Saith that Wm. Clark tould y^{e} people that the Lord Baltemore Denyed that Ever he had Given Out a Proclamation to Encourage y^{e} People to Settle at y^{e} whore Kills, as one of his Untruths.

Ordered That there be a report made to this board of the returne of the Comiss^{rs} wth went to Kent County Concerning Wm. Darvall, and that he may have a Writing drawne to Clear him.

Joseph Bowle, aged 31 years, living neer Iron hill, about 8 miles distance from New Castle, being attested, Saith that about tenn days since Coll. Talbot ridd up to his house and was ready to ride over him, and said Dam you, you Dogg, whom doe you Seat under here, you dogg! you Seat under noe body; you have noe Warr^{t} from Penn no my Lord; therefore, gett you gon, or Else Ile send you to

St. Mury's; and I being frighted, Says he, you Brozen faced, Impudent, Confident Dogg, Ile Sharten Penn's Territories by & by; and the Neighbours said they saw Bowles his Land Surveyed away.

Adjourned till y^e 18th 4th, 84.

At a Councill held at Philadelphia The 18th of y^e 4th Mo., 1684.

PRESENT:

Wm. PENN, Prop^{or} & Gov^r.

Jno. Symcock,	Tho. Holmes,	Chr: Taylor,
Wm. Clark,	Wm. Haigue,	Edm^d Cantwell.
Tho. Lloyd,	Wm. Wood,	

The Gov^r desired to be Informed what Persons are fittest to administer to ffra. Whitwell's Estate: it was thought Wm. Southersby and Wm. Berry who were appointed, so to be.

The Gov^r again read the Declaration Concerning y^e Difference between y^e Lord Baltemore & himself, desireing y^e Councills approbation; who approved of it, but desired that some things for y^e psent might be left out.

Adjourned till y^e 19th of y^e 4th Mo., 84.

At a Councill held at Philadelphia y^e 19th of y^e 4th month, 1684.

PRESENT:

Wm. PENN, Prop^{or} and Gov^r.

Chr: Taylor,	Tho. Lloyd,	Luke Watson,
Wm. Haigue,	Wm. Clark,	Jno. Symcock.
Edm^d Cantwell,	Wm. Clayton,	

The Gov^r Informes y^e Councill that Wm. Darvall was much dissatisfied at y^e proceedings of y^e Comiss^{rs}, and desires y^e Opinion of y^e Councill in giving him a Clearing under y^e Clarke of y^e Councell his hand.

Upon Inquiry made in relation to Wm. Darvall, Concerning y^e Entertainment of one Murfey in Disafection to this Governm^t,

The Comiss^{rs} appointed to Enquire after & to bring to condigne Punishem^t such Disafected Persons to this Governm^t, as they should have Proof of, in the County of Kent;

Returned this much Concerning Wm. Darvall: that the thing suggested were not proved against him.

Taken out of the Journall by leave of Gov^r & Councill.

The Gov^r Informes Wm. Clark and Edm^d Cantwell that they should draw up two Petitions; One to y^e King & One to y^e Duke.

Adjourned till the 20th 4th Mo., 84.

At a Councill held at Philadelphia ye 20th of ye 4th Mo., 1684.

PRESENT:

Wm. PENN, Propor and Govr.

Chr: Taylor,	L. Watson,	Wm. Clayton,
Wm. Haigue,	Jno. Symcock,	Wm. Clark.

The Petition of Geo: Thorp read; desiring a hearing before the Govr & Councill.

The Govr desires to know if it be not Convenient to Costitute Provll Judges to Try Geo: Thorp's Buisness. Ordered that it be Tryed to morrow morning, Unless Griffith Jones shoes sufficient reason to the Contrary.

Ordered that Griffith Jones be informed that the Govr & Councill Sit at two of ye Clock in ye Afternoone, in order to his Buisness.

POST MERIDIEM.

The Petition of Geo: Thorp being againe read, The Quest. was put whether they would be pleased to Sitt as a Court of Equity and Law, or a Court of Equity alone.

The Govr Proposes whether the two partys are Willing to have it Tryed by the Provll Judges.

Griff. Jones desire times to send for his Evidences, and also desires to know if it shall be Tryed by Law or Equity.

Adjourned till ye 25th 5th Mo., 84.

At a Councill held at Philadelphia ye 25th of ye 5th month, 1684.

PRESENT:

Wm. PENN, Propor and Govr.

Wm. Welch,	Tho: Holmes,	Wm. Haigue,
Wm. Clark,	Tho. Lloyd,	Wm. Clayton,
Wm. Darvall,	Chr: Taylor,	Jno. Cann.
Jno. Symcock,	Tho: Janney,	

Richard Mitchell, Sherriff, made his returne from Kent County, of the Election of Wm. Darvall in ye Place of ffran. Whitwell, Deceased.

Wm. Darvall Attested to Keep Secrecy.

The Govr Desires That the Membs of Councill would be sure above any thing to Suppress Lewdness and all manner of Wickedness.

The Govr first proposes to the Councill, the Law Concerning Selling Rum to the Indians.

That is to say: advises to Issue forth an Act of State to Suppress selling rum to the Indians in such Quantities.

The Govr desires also, that Ordinary Keepers' disorders may be suppressed.

Ordered that Robt Terrill be sent for to appear before ye Govr & Councill, and all others that Sell Rum to ye Indians.

Jno. Jones Acquaints the Councill that one Russell harbours his Negroes, and therefore beggs some redress.

Memorandum: Servats Traviling wth out Passes, Idleing on first days, Unlisenced houses selling Liquors without Licence; also, seaven pence halfe penny a Meal, and one penny a qt for beer.

Adjourned till ye 26th 5: Mo., 1684.

At a Councill held at Philadelphia ye 26th 5th Mo., 1684.

PRESENT:

Wm. PENN, Propor and Govr.

Wm. Welch,
Jno. Symcock,
Wm. Darvall,
Wm. Haigue,
Jno. Cann,
Tho: Lloyd,
Tho: Holmes,
Wm. Clayton,
Chr: Taylor,
Tho: Janney,
Wm. Clark.

Robert Terrill being brought before the Govr & Councill for Selling rum to the Indians and Other people, and Entertaining Other Person's Servts, rece'd a repremand from the Govr.

A Proclamation Ordered to be Issued Out in Order to Suppress the same.

Ordered that Magistrates give Instructions to the Grand Jury for Suppressing of Ordinarys, according to Law.

Ordered that a Letter be writt giving Magistrates directions Concerning the Proclamation, & also of Chuseing Magistrates & Peace Makers.

Left to ye Govrs Discretion to have ye Laws & Charter printed at London.

Magistrates to Look after the Peace of ye Province, & to Demeane themselves without a just Cause of Offence to the Indians, and then Discreatly.

Tho: Lloyd, Tho: Holmes, Wm. Haigue, appointed to draw up a Charter for Philadelphia to be made a Burrough, Consisting of a Majr and six Aldermen, & to Call to their Assistance any of ye Councill.

Adjourned till ye 28th of ye 5th Mo., 84.

At a Councill held at Philadelphia ye 28th of ye 5th Mo., 1684.

PRESENT:

Wm. PENN, Propor & Govr.

Wm. Welch,
Wm. Clark,
Jno. Symcock,
Wm. Haigue,
Wm. Darvall,
Chr: Taylor,
Tho: Janney,
Wm. Clayton,
Jno. Cann,
Tho: Holmes,
Tho: Lloyd,

The Gov^{r} put y^{e} Question, whether y^{e} Gov^{rs} Charges & Expenses for the Preservation and Continuation of the Lower Countyes as annexed by act of Assembly to this Province, shall be reputed a Public Charge.

Resolved upon y^{e} Question, y^{t} y^{e} Gov^{rs} Expenses preserving and Continuing the Lower Countyes annexed by act of Assembly to this Province, be held & Reputed a Public Charge.

The Gov^{r} put y^{e} Quest: whether two-thirds or three-fourths of y^{e} ffreewill Offering Money given to y^{e} Gov^{r}, should be put to y^{e} Quest.

Past in the Affirmative.

As many as are of Opinion that two thirds should be allowed the Gov^{r} towards the preserving & Continuing the Lower Countyes, annexed by Act of Assembly to this Province.

Past in the Negative.

As many as are of opinion that three fourths should be allowed, Say yee: Past in y^{e} Affirmative.

All that are of Opinion that y^{e} Charges of y^{e} Watchmen at New Castle should be payed out of y^{e} Publick Treasury, till further Order from Prov^{ll} Councill, Say yee: Resolved in y^{e} Affirmative.

Ordered that Tho: Holmes, Wm. Haigue, Wm. Clayton, Tho: Lloyd, Wm. Darvall, Wm. Clark, or any two of them, Inspect y^{e} Bills of Benj. Acrod, Deceased, before such time as they are payd.

Adjourned till y^{e} 14th 6th Mo., 84.

At a Councill held at Sussex The 14th 6th Mo. 1684.

PRESENT:

Wm. PENN, Prop^{or} and Gov^{r}.

Tho: Lloyd,
Wm. Clark,
Tho: Holmes,
Ja: Harrison,
Wm. Darvall,
Luke Watson.

The Differance between Luke Watson and Jno. Bellamy, touching the appraism^{t} formerly Ordered by y^{e} Gov^{r} & Councill, &c. The sayd Luke Watson & Jno. Bellamy agreed before y^{e} Gov^{r} & Councill, as followed:

That the said Luke Watson shall Continue upon y^{e} three hundred Acres at Prime hook, wheron are his Improvem^{ts}, togather with the two hundred Acres adjoyning thereto; and in Consideration thereof, the said Jno. Bellamy shall have the four hundred fifty-seaven Acres as p. Pattent, being formerly the Lands of One Wm. Canes, and Seated by Prentice, and to assigne and make Over their Intrests to Each Other in y^{e} said Lands, by Legall Conveyances, &c. And y^{e} Said Luke Watson shall further pay unto the said Jno. Bellamy, one Bullock, or Vallue thereof; and thus they agreed & shaked hands.

Adjourned till The 18th of y^{e} 6th Mo., 1684.

At a Councill held at New Castle The 18th of ye 6th month, 1684.

PRESENT:

THOMAS LLOYD, President.

Wm. Welch,	Jno. Symcock,	Edmd Cantwell.
Jam: Harrison,	Tho. Holmes,	

A Comission from ye Govr was read, Impowring the Provll Councill to act in the Governmt in his Steed, Tho. Lloyd being Presidt of ye same.

Also, a Comission for Tho. Lloyd to keep the great Seale, was read.

Provll Judges appointed by Comission, Vizt: Wm. Welch, Nich. Moore, Wm. Wood, Robt Turner & John Eckley.

Adjourned till 19th 6th Mo., 84.

At a Councill held at New Castle The 19th of ye 6th month, 1684.

PRESENT:

THOMAS LLOYD, Presidt.

Chris: Taylor,	Jam. Harrison,	Wm. Clayton.
Tho. Holmes,		

The Commission for the great Seale was againe read, and the Seale delivered to Tho. Lloyd.

A Comission was read Impowring Tho. Lloyd, James Claypoole & Robt Turner, to Signe Pattents and grant Warrats.

Wm. Clayton, Robt Turner & Danll Pastoruses, Comission for Justices of ye Peace for Philadelphia County was read.

Wm. Clark's Genll Comission for ye Peace was read, and filled up in Councill.

Adjourned till 24th 6th Mo., 84.

At a Councill held at New Castle The 24th of the 6th month, 1684.

PRESENT:

THOMAS LLOYD, Presidt.

James Harrison,	Wm. Haigue,	Chris. Taylor.
Jno. Symcock,	Wm. Clayton,	

Ordered that the next Justice in Comission to the Presidt of the Court of New Castle, doe officiate in the same till further Order.

Adjourned till ye 10th 7th Mo., 84.

At a Councill held at Philadelphia the 10th of ye 7th Mo. 1684.

PRESENT:

THOMAS LLOYD, Presidt.

Tho. Holmes,
Chr: Taylour,
Wm. Wood,
John Symcock,
Wm. Clayton,
Jam. Harrison,
Wm. Clark,
Edmd Cantwell,
Jno. Cann.

Wm. Welch being deceased, the Membrs of Councill for N. Castle County, Informed the Councill of ye Want of one in his place: Wherupon, the Presidt put ye Quest., whether or not there should be a Writt sent downe to Chuse a Memb. to serve in his steed: past in ye Affirmative.

Quest. Whether the Managemt of the Genall Surveyrs Place of New Castle County, Should be put into the hands of Tho. Holmes, Survr Genll of ye Province, till further orther; and that Tho. Person be his Deputy for ye Time being, he receiving Instructions from ye Genll Surveyor. Past in Affirmative.

Information being given to this board that the Widdow Ogles' hay was thrown into ye Creek, and Andrew Stelle's Clouths Terne by Coll. Talbots' People, who did it by his Order, Edmd Cantwell and Jno. Cann were Ordered to Inspect the thruth of it, and to make a Speedy report of ye same to this board.

Adjourned till ye 11th 7th Mo., 84.

At a Councill held at Philadelphia The 11th of ye 7th month, 1684.

PRESENT:

THOMAS LLOYD, Presidt.

John Symcock,
Wm. Clayton,
Edmd Cantwell,
Jam. Harrison,
Wm. Clark,
Jno. Cann,
Tho. Holmes,
Chris. Taylor.

It being proposed by a Membr in Councill, that a New Comission of the Peace be granted for the Countys of Philadelphia & New Castle, by reason of ye removeall and Decease of ye sayd Presidt, it was Unanimously agreed that New Comissions should be Issued Out.

Ordered that Notice be given to the Provll Judges, to request them to appear in Councill to Morrow, at the 9th houre.

Adjourned till ye 12th 7th Mo., 84.

At a Councill held at Philadelphia The 12th of ye 7th Mo, 1684.

PRESENT:

THO: LLOYD, President.

Jno. Symcock,
Tho: Holmes,
Chr: Taylor,
Edmd Cantwell,
Wm. Clayton,
Jno. Cann,
Wm. Clark.

Ordered that upon the Decease or Absence of ye Present President from this Province or Territories, that it shall and may be Lawfull for the Provll Councill, upon any urgent Emergency, to meet together, & Chuse a Presidt or Vice presidt, as Occasion shall Offer, from time to time.

Wm. Clayton & Robt. Turner attested Justices of ye Peace, for ye County of Philadelphia.

Ordered that the King's Proclamation forbidding his subjects to Enter into the Servis of forreigne Princes, be read to morrow by the Sherriff, in the most publick places of Philadelphia, at tenn of the Clock to morrow; and to be affixed in a Publick place for the Publick View.

Ordered that a Comission be speedly Issued fourth for One to Supply the place of a Provll Judge, Lately deceased.

Ordered that it be referred to ye Presidt and psent Membrs, to Comissionate Treasurer if Occasion be.

The Comission of ye five Provll Judges was this day delivered unto Nicholas Moore & Robt. Turner, who were accordingly Attested.

The Coppy Wherof is as followed, Vizt:

Wm. Penn, Propery & Govr of ye Province of Pennsilvania & Territories thereunto belonging,

To my Trusty & Loving friends, Nicholas Moore, Wm. Welch, Wm. Wood, Robt Turner & John Eckley. Greeting:

Reposing Speciall Confidence in yr Justice, Wisdom and Integrity, I doe, by Virtue of ye King's Authority, derived unto me, Constitute you Provinciall Judges for the Province and Territories, & any Legall Number of you a Provll Court of Judicature, both fixed and Circular, as is by Law directed, giving you and Every of you full power to act therin according to ye same; Strictly Chargeing you and Every of you, to do Justice to all and of all degrees, without delay, fear, favour or Reward: And I doe hereby require all Persons within the Province and Territories aforesaid, to give you ye due Obedience and respect belonging to your Station, in the Discharge of your Dutys.

This Comission to be of force duering two years Ensueing ye Date hereof, You and Every of You behaving yourselves well therein, and Acting according to ye same.

Given at Philadelphia, ye fourth of ye sixth Month, One thousand six hundred Eighty & four, being ye thirty Sixth year of ye King's Raign, & ye fourth of my Governmt.

THE SEAL. WM. PENN.

Postcrip: For ye three Upper Countyes and Towne of Philadelphia.

WM. PENN.

Ordered that the Registrey's Office for the County of New Castle, be managed by Jno. Cann, till further Order.

Ordered that ye Presidt and Present Members may have power out of Councill to grant Licenses.

An Information being given to this board from Samll Land, High Sheriff of the County of New Castle, That there was a Ship Lately arrived which was an unfree Bottom; Whereupon he seized her.

Ordered that Wm. Clark, Jno. Cann, Edmd Cantwell, Peter Aldrichs, and Jno. Williams, or any three of them, Strictly Inquire into the Nature and Truth of ye Information, and Transcefer an accot thereof to ye Presidt, or in his absence to Tho: Holmes.

Ordered in Councill, that ye Presidt & Members present may Empower such as they think fitt, to be a Court of admiralty, for the hearing and determining the State and Case of the Shipp Seized; and that upon all other, and the Like urgent Occasion, that the Presidt & Prest Members may, in absence of ye Councill, proceed to act therin wth Prudence, Law and Discretion, according to ye Necessity of ye Matter, and that an account of ye same be reported to ye next Councill.

Adjourned till ye 14th 8th Mo., 84.

At a Councill held at Philadelphia The 14th 8th Mo., 1684.

PRESENT:

THOMAS LLOYD, Presidt.

Thom: Holmes, Luke Watson, Wm. Clayton.
Wm. Haigue,

The Ship Called the harp, of London, Robt. Hutchins Master, being by this board Called in Question for his Ship's being an unfree Ship, and upon Consideration had by this board and Samll Horsent, Prosecutor, in behalfe of Samll Land, Prosecuting & desireing Judgment against the said Ship.

Monsieur Dethees, Master, Alias Pilot, appearing in person in Councill, produced a Past under the hands of the Comissrs of London, and Seal of the Custom house, dated ye 9th May, 1684; but positively declared that he had noe Clearing to produce, neither (as he said) could he produce any from the Admiralty Office of Darby house, and that Mounsieur Duthees that had been Employed to dispose of the Charity given to some french Protestants of good Quality, bound for Pennsilvania, did Solicite at ye sd Admiralty for a Clearing, but could not obtaine it; Hezekias helmont, Edd Hunter & Jeffrey Johnson, Seamen & Saylors on said Ship, being also called, and Personnally appearing in Councill, & being Interrogate severally and Joyntly, declared that they knew nothing of the Clearing of the said Ship, and that they know nothing of her being an unfree Ship till they came to burnegat, where they then heard of one above that Knew more than they, that Shee was an Unfree Ship.

The board upon hearing of the whole matter, and all that could be alleged in behalfe of said Ship, It is ye Judgmt of the board that Shee is an Unfree Ship, & so forfeited.

Condemnation and Sale of the Ship harp of London, By the President & Members of Provll Councill of the Province of Pennsilvania, and Territories thereunto belonging:

Information being made to this board by Samll Land, that a Certaine Ship called the harp, of London, Lately arrived with Passingers from London, in England, and now riding before the towne of Philadelphia, in the Province of Pennsilvania, is a french Bottom, and noe ways made free to Trade or Import any goods into any of his Majesty's Plantations in America, and soe under the forfeiture Exprest in the Laws of Navigation, upon a full hearing of the Buisness in Councill, the fourteenth of y^e^ Eighth Mo., 1684, And by the Ingenious Confession of the Master, who Termes himselfe Pilot of y^e^ said Ship, who produced a Pass under the hand of y^e^ Comiss^rs^ & Seale of the Custom house at London, Dated the Ninth of the Second* Month, 1684, but positively declared that he had noe clearing to produce, Neither (as he said) could he produce any from the admiralty office of Darby house, and that Mounsieur Duthees that had been Employed to dispose of the Charity given to some french Protestants of good Quality, bound for Pennsilvania, did solicite at said Admiralty for Clearing, but could not obtaine it, the seamen & Saylors, Viz^t^: Hezekias Helmont, Edw^d^ Hunter, and Jeffery Johnson, of y^e^ s^d^ Ship being called, and personally appearing in Councill, did declare Joyntly & Severally, that they knew nothing of her being an unfree Ship untill they came to Barnegatt's, where they then heard that shee was an Unfree Ship; and Sam^ll^ Land being prosecutor, Desireing Judgm^t^, the President and Prov^ll^ Councill upon hearing of y^e^ whole matter & all that could be alleged in behalfe of y^e^ said Ship.

Have and doe adjudg and Condemn y^e^ Said Ship as aforesaid, forfeited according to Law, the 14^th^ of the 8^th^ month, 1684; and Comiss^rs^ being respectively appointed for y^e^ View, apraisem^t^ & sale of y^e^ said Ship, w^th^ Tackle, apparrell & Amunition, &c. did accordingly, between y^e^ hours of three & five of the day in y^e^ afternoone, being the 14 of the 8 month, 1684, Sel the said Ship by the Inch of Candle, to Barnaba Wilcox, for fifty-nine pounds ten Shillings six pence; whom we doe Declare to be the Sole, Right, and Lawfull Owner of y^e^ said Ship.

THOM. LLOYD.

Adjourned till 22^th^ 8^th^ Mo., 84.

At a Councill held at Philadelphia ye 22^th^ of y^e^ 8^th^ Mo., 1684.

PRESENT:

THOMAS LLOYD, Presid^t^.

Wm. Clark,	Tho: Holmes,	Luke Watson,
Wm. Clayton,	Wm. Haigue,	Pet^r^ Alrichs.

Ordered that John Songhurst, Wm. East, Thom: Taylor, apraise y^e^ french Ship w^ch^ is forfeited, and make returne fourthwith to this board.

Ordered that James Claypoole, Sam^ll^ Carpenter, & Wm. frampton, be Comiss^rs^ to Dispose of y^e^ french Ship fourthwith.

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*Should be third.

Ordered that Wm. Darvall, Grunadus Wessel, Jno. Brigs & Danll Jones, have Comissions for Justices of the peace for Kent County.

Ordered that Peter Alrichs, Robt Owen, Edmd Cantwell, & Abram. Man, have Comissions for Justices of the peace for New Castle County.

The Returne of the Sheriff of New Castle was this day read, for the Choyce of Peter Alrichs to be a Councellor for that place, Who was this day attested in Councill.

The Petition of Edmd Cantwell was read, and the Councill Exprest their unwillingness to take Cognizance thereof, by reason had regularly his Legall remedy from the Provll Court, to which he appealed, and should have prosecuted his Complaint & Greavance; how Ever, they thought it advisable to have a Letter Sent to the Clark of the County of New Castle by the Clark of the Councill, to send up to this board wth all Expedition, a Coppy of the appeal, Judgmt Bond and Execution, wth the Declarion Plea and Verdict Entred & Issued out against the Complainant.

Adjourned till 24th 8th Mo., 1684.

At a Councill held at Philadelphia ye 24th of ye 8th Mo., 1684.

PRESENT:

Wm. CLAYTON, Presidt.

Chr: Taylor, Ja: Harrison, Wm. Wood,
Jno. Symcock, Tho. Janney, Wm. Darvall.

Ralph ffretwell Complains to the Councill that he cannot have his Land Laid Out by reason of the Contention of the Surveyr.

Tho: Holmes being sent to by the Clarke of the Councill, to know his reason of not Issuing out his Warrant to Survey ye Said Ralph ffretwell's Land, his answer was, he would not Issue out his Warrant to Charles Ashcom, But he would Issue out his Warrant according to his Comission.

Wherupon the Councill made this Warrt following:

For as much as Ralph ffretwell hath made his Complaint to us that he cannot have his Land Surveyed and Layd out according to the Govrs Warrant, Wee having Sent to Tho: Holmes to put ye said Warrt in Execution, Vizt: to direct Charles Ashcome, Surveyr of the County of Chester, to lay out the Same, and he refusing soe to doe;

These are therefore, to will and require Thee fourthwth to Survey, or caused to be Surveyed, unto Ralph ffretwell, the said Tract of Land, beginning halfe a mile above Concord, and soe through New Towne, Saveing Every man's right their already Surveyed to them in ye said Towns Ship, and Soe up N. N. W. till you come to ye full Extent on that side, and soe onwards untill the said Warrant be Accomplished, by a Square of tenn or twelve miles, or any Quantity that may be Conteined in the same, according to ye Treu Intent and meaning of ye Govrs Warrant.

James Harrison and Jno. Symcock were Ordered to Discourse Tho. Holmes Concerning Ralph ffretwell.

Adjourned till 25th 8 Mo., 84.

At a Councill held at Philadelphia ye 25th 8 Mo., 1684.

PRESENT:

THO: LLOYD, Presidt.

Jam. Harrison,	Luke Watson,	Wm. Haigue.
Wm. Clark,	Wm. Clayton,	

Barnabas Wilcox had two hours granted him to give his answer to the Presidt, whether he will have the french Ship as he bought her or not.

A Provll Court being by Law and under the great Seale by ye Propror & Govr Established, it was Judged advisable and Expedient that for the future the Provll Councill may draw up and Endeavour to ascertaine the Legall Bounds and Jurisdictions of the Respective Courts of Judicature in this Province & Territories, least through the Inadvertancy, Indiscretion or unskillfullness of any Persons Judicially Comissionated, in the Discharge of their Duty, they, or any of them, may act Eregularly, to the Disatisfaction of ye Governmt, Disreputation of themselves, to ye Vacuating and Insecurity of such acts & Judgment of ye said Courts, & Consequently by the Intrenching of one Court upon ye Matters Cognisable by an other Judicature, Annimositys, Disrespect and Confusion may be introduced.

For the Prevention Wherof, and ye preserving of a Respectfull Notice and Corispondance, and for ye Continueing a Suitable regard to the due Determination of ye Comissrs of Each Court, It was agreed in Councill that such Instructions, Soe drawn up, may be recomended to the notice of ye Respective Comissrs.

Adjourned till ye 30th of ye 1st month, 85.

At a Councill held at Philadelphia The 30th of ye first month, 1685.

PRESENT:

THOMAS HOLMES, Presidt.

Chris. Taylor,	Tho: Janney,	Nich. Newlin,
Jno. Symcock,	Jno. Barnes,	Phin. Pemberton.
Wm. Wood,		

The Returne of Philadelphia Read.

The Returne of Bucks read.

The Returne of Chester Read.

John Barnes, Nich. Newlin & Phinihas Pemberton, were this day attested to Keep Secret the Debates of Councill.

Adjourned till ye 31th 1st Mo., 85.

At a Councill held at Philadelphia the 31 1st Mo., 1685.

PRESENT:

THOMAS HOLMES, Presid^t.

Chris: Taylor,	Wm. Wood,	Jno. Barnes,
Jno. Symcock,	Jno. Cann,	Nich. Newlin,
Tho. Janney,	Phin: Pemberton,	Peter Alrichs.

The Returne of the Sherriff of New Castle was read.

Put to y^e Question, Whether y^e Members not coming to Councill yesterday be willfull absence.

Past in the Negative.

Put to the Question, Whether those two Sherriff's which have not made their returnes should be fined or not for Neglect of Duty, and whether tenn pounds fine should not be Layd upon Each.

Past in y^e Affirmative.

Ordered that y^e Sheriff of New Castle pay 20s. fine for not making returne in time.

Jno. Cann, Jno. Barnes, Nich. Newlin & Phin. Pemberton, and as many more as pleaseth, apointed a Comittee to read Over y^e Laws.

Adjourned till y^e 1st 2^d Mo., 85.

At a Councill held at Philadelphia y^e 1st 2^d Mo., 1685.

PRESENT:

THOMAS HOLMES, Presid^t.

Wm. Wood,	Peter Alrichs,	Jno. Symcock,
Jno. Cann,	Phe: Pemberton,	Chris. Taylor,
Tho: Janney,	Nich. Newlin,	Jno. Barnes.

The Petition of Christopher Penock & Co. Concerning the ferry at Skoolkill, was read.

Ordered y^t an Order of ye Councill be Sent to Phillip England, to Expedit a sufficient ferry boat for horses and Cattle to pass to and fro over the Scoolkill, as also to make y^e way on both sides Easy and passable both for horses and man, to Loe Water Marke; Otherways y^e Councill will take care to Dispose of it to such as will pforme y^e same.

It being Moved in Councill to have the Line of Separation known & distinguish^t between y^e Countyes of Philadelphia and Bucks, at y^e River Dellaware, the County of Bucks to begin at Poaquesson Creek, and soe to take in the Easterly side thereof, togather with y^e Town-Ships of Southampton & Warminster, and thence backwards.

And severall Members of Councill acquainted this board that they heard the Gov^r Positively grant & say, that the aforementioned Line should be the Devision between the two said Countyes, and being put to y^e Question, whether that should Stand as y^e division of y^e Countyes aforesaid, it was carried in the Affirmative, Nemine Contradicente.

Ordered that an Order of Councill be Sent to yᵉ Sheriff of Each County abovesaid, to the End that they may know the Limitts & bounds of each respective County.

The Question was put, whether Samˡˡ Land should Continue Sheriff for the County of New Castle for yᵉ Next year.

Past in the Affirmative.

Wheras; the Govʳ in psence of John Symcock and Wm. Wood, was pleased to Say & grant That yᵉ bounds of the Countys of Chester & Philadelphia should be as followed, Vizᵗ:

That the bounds should begin at the Mill Creek and Slopeing to yᵉ Welch Township, and thence to Scoolckill, &c., in obedience thereto and Confirmation thereof.

The Councill having Seriously Weyed & Considered the same, have & doe hereby Agree and Order that yᵉ bounds betwixt the said Countys shall be thus; That is to Say:

The County of Chester to begin at yᵉ Mouth or Entrance of Bough Creek, upon Delaware River, being the uper End of Tenecum Island, and soe up that Creek, deviding the said Island from yᵉ Land of Andros Boone & Compʸ; from thence along the Severall Courses thereof to a Large Creek Called Mill Creek; from thence up the Severall Courses of the said Creek to a W: S: W: Line, which Line devided the Liberty Lands of Philadelphia from Severall Tracts of Land belonging to the Welch & Other Inhabitance; and from thence E: N: E: by a Line of Marked Trees, 120 perches more or Less; from thence N: N: W: by the harford Township, 1000 perches more or less; from thence E: N: E: by yᵉ Land belonging to Jno. Humpheris, 110 perches more or less; from thence N: N: W: by yᵉ Land of Jno. Ekley, 880 perches more or Less; from Thence Continuing yᵉ said Course to the Scoolkill River, wᶜʰ sᵈ Scoolkill River afterwards to be the Naturall bounds.

The Question was put, whether the afore mentioned Creeks, Courses and Lines, shall be the bounds betwixt the Countys of Philadelphia & Chester, according to yᵉ Govʳˢ grant as aforesaid; Unanimous Carried in yᵉ Affirmative.

Motion being made for a Rainger for the County of New Castle, the Councill Unanimously Chose Peter Alrichs to be Rainger of yᵉ said County for One year.

Ordered that he have a Comission drawn for that purpose.

Ordered that Rich. Parker have Licence to Keep an Ordinary at Darby Creek.

Adjourned till yᵉ 3ᵈ 2ᵈ month, 1685.

At a Councill held at Philadelphia yᵉ 3ᵈ 2ᵈ Mo., 1685.

PRESENT:

THOMAS HOLMES, Presidᵗ.

John Symcock,
Tho. Janney,
Wm. Clark,
Wm. Wood.
Jno. Cann,
Jno. Barnes,
Pʳ Alrichs,
Nicho. Newlin,
Phe. Pemberton,
Wm. fframpton,
Chris. Taylor,

Wm. Clark being attested, deposeth that he saw ye returne of the Sherriff of y^e^ County of Kent for a member of Councill, and he did read in the returne that Wm. fframpton was y^e^ man Chose for the memb^r^ of Councill.

And it being put to the Question whether that was sufficient for him to Sit, past in the Affirmative.

The Lycence of John Hill Ordered to be renewed.

The Returne of y^e^ Sherriff of Lewis County was read, Jno. Roads Returned Councellor.

Ordered that a Comission be drawn for John Cann, Peter Alrichs, Rich. Owen, Johanas D. Haes, James Walliams, Hendrick Williams, Vallentine Hallingswoorth, Edw^d^ Green, Wm. Guest, Hendrick Leman, to be Justices of the Peace for y^e^ County of New Castle, for a year.

Wm. fframpton was this day attested in Councill to keep Secresy.

Ordered that a Bill be drawn for Severall sorts of fines Exprest in the Laws of this Province, to be raised, Leavied and payd.

Ordered that a Bill be drawn to y^e^ End the time of Enrolm^t^ be Enlarged to Six months of Charters, deeds & Conveyances, & that y^e^ Clawse of Bill Bonds & Specialties be left Out, and y^e^ Word Pattents be added and Incerted after the Word Charter.

Ordered that a Bill be drawn for Indemnifieing all forfeited Deeds not Enroled in Time, and that y^e^ said deeds shall stand Valid to all intents and purposes, as if they had been Enroled.

Ordered that a bill be drawn up That y^e^ Word Equity be left out in ye Law off County Courts.

Put to y^e^ Question; whether the 87 Law should be repealed, and one year be put in the roome of six months, and be new drawne: past in the Affirmative.

Put to y^e^ Question; whether the penalty should be taken out of the Law of Education; Past in the Affirmative.

Ordered that Wm. fframpton, Phin: Pemberton and Jno. Cann, doe draw up a Bill that all pay may be made in Kind according to Contract; also, that they bring in the Distance of takeing up of Servants.

Adjourned till 4 2 Mo., 85.

At a Councill held at Philadelphia y^e^ 4^th^ of 2^d^ Mo., 1685.

PRESENT:

THOMAS HOLMES, Presid^t^.

Wm. Wood,	Jno. Symcock,	Wm. Clark.
P^r^ Alrichs,	Jno. Cann,	Luke Watson,
Wm. fframpton,	Jno. Barnes,	Nich. Newlin.
Phin: Pemberton,	Tho. Janney,	

Put to y^e^ Question; whether the 134 Law should be repealed, and one or more drawns with amendments, in respect of Serv^ts^.

Past in the Affirmative.

Wm. Clark is desired to bring in a forme of Indictm^{ts} and attachm^{ts}, against the next Sitting.

Ordered that a Bill be drawne for Watch and Ward, and be left to y^{e} Justices of Every County, or any four of them, to settle time and place, with 5d. penalty for Every One that shall neglect.

Put to y^{e} Question: Whether y^{e} 41 Chapter of Laws should be repealed, and an Other made in the roome with this amendm^{t}: Person instead of Man: past in y^{e} Affirmative.

Nath. Allens, Comission for gager & Sealor of Weights & Measures, was read and left to be Considered.

Put to y^{e} Question; Whether y^{e} 103 Law should be repealed concerning gageing: Past in the Affirmative.

Ordered that Wm. fframpton draw a new bill for the Size of Caske Exported, and also to be Used within this Province, &c.

Put to y^{e} Question; Whether there shall be a Gallon, peck & Bushell be Sealed in Every County of this Province, to be maintained at their owne Charge; past in Affirmative.

Put to y^{e} Question; Whether a Law should be made for a Penalty to be Laid upon such as Cutt or fall Marked or bounded trees; Past in the Affirmative.

Ordered y^{t} Jno. Symcock, Jno. Cann, Wm. fframpton & Phinihas Pemberton, be a Comittee to draw up the former bills.

Adjourned till 6th 2^{d} Mo., 85.

At a Councill held at Philadelphia y^{e} 6th 2^{d} month, 1685.

PRESENT:

THOMAS HOLMES, Presid^{t}.

Wm. Clark,
Wm. fframpton,
Tho: Janney,
Nich. Newlin,
Luke Watson,
Jno. Cann,
Phin: Pemberton,
Peter Alrichs,
Jno. Barnes,
Chr: Taylor,
Jno. Symcock,
Wm. Wood.

Put to y^{e} Question; whether y^{e} Persons Concerned in y^{e} Subscription of money in Lue of y^{e} Publick ayd, should be sent for in Order to pforme what they undertooke: Past in y^{e} Affirmative.

Put to y^{e} Question; whether this following Writing should be the foreamble to the Order of Councill for y^{e} Division of Countyes: Past in y^{e} Affirmative.

Wheras, there is a Necessity to Ascertaine the bounds of the several Countys of the Province of Pennsilvania, in Order to the raiseing and Collecting of Taxes, Public Monys, and Other ways to adjust y^{e} Limitts of their respective Sherriffs, for y^{e} Performance of their powers and Dutys; and also, that y^{e} People might know unto what County they belong and appertaine, To answer their Dutys and places:

Ordered that a Comission be drawne for James Harrison, Tho: Janney, Wm. Yardley, Wm. Biles, Wm. Beaks, John Ottor, Edm^{d} Bennet & Jno. Swift, to be Justices of the Peace for y^{e} County of Bucks, the year Ensueing.

Ordered that a Comission be drawne for Jno. Symcock, Wm. Wood, Nich. Newlin, Robt Wade, Geo. Maries, Tho: Usher, Robert Riles & John Blumstone, to be Justices of ye Peace for Chester County, the year Ensueing; But Left to the President and members of the said County to Leave Out four of them.

Put to the Question; Whether there should not be a Bill or Bills drawn to fine Justices & Sherrifs for their Neglect of their Duty; Past in the Affirmative.

The Petition of Widdow Acrod was Delivered into this board by Nicho. Moor, her Atturney; was read, & proof being made by her said Atturney of her being Married to Benj. Acrod, Deceased, by a Certificate from the Late Lord Mayr of ye Citty of London, Sr Henry Talse, and a Letter of Atturney also produced, Constituteing the said Nich. Moore her Atturney.

Ordered therefore, that Patrick Robinson be sent to attend this Board, to give an account of ye Estate of Benj. Acrod, Deceased.

Adjourned till 7th 2d Mo., 85.

At a Councill held at Philadelphia ye 7th of ye 2d month, 1685.

PRESENT:

THOMAS LLOYD, Presidt.

Tho: Holmes,
Wm. Clark,
Jno. Symcock,
Wm. Wood,
Tho. Janney,
Jno. Cann,
Peter Alrichs,
Wm. fframpton,
Luke Watson,
Phin: Pemberton,
Nich. Newlin,
Jno. Barnes.

The Govrs Comission to the Councill was this day read.

A Bill Concerning runaway Servants was read a first reading Past Nemine Contradicente.

A Bill Concerning Indemnifieing of Pattents, Gift, Grants, &c., not Enroled, read a first reading: past N. C.

Adjourned till ye 8th 2d month 1685.

At a Councill held at Philadelphia The 8th of the 2d month, 1685.

PRESENT:

THOMAS LLOYD, Presidt.

Tho: Holmes,
Jno. Symcock,
Wm. Wood,
Peter Alrichs,
Luke Watson,
Nich. Newlin,
Jno. Cann,
Chr: Taylor.
Wm. Clark,
Tho. Janney,
Wm. fframpton,
Phin: Pemberton,
Jno. Barnes.

A Bill for Persons goeing in Season for their pay in Pork, Tobacco & Corne, was read a first reading: past N. C.

By the Presid^t & Prov^{ll} Councill of the Province of Pennsilvania & Territories thereunto belonging:

Wheras, there is a Necessity to ascertaine the Bounds of yᵉ severall Countyes of Pennsilvania, in Order to yᵉ raising and Collecting of Taxes, publick Moneys, and Otherways to adjust the Limitts of the respective Sherriffs for yᵉ pforming of their Power and Duty; and also, that yᵉ People might know unto what County they belong & appertaine to answer their dutys and places: and wheras, the Gov^r, in presence of Tho: Janney & Phin: Pemberton, was pleased to say and Grant that yᵉ Bounds of yᵉ County of Bucks and Philadelphia should begin as followeth, Viz^t.

To begin at yᵉ Mouth of Poetquesink Creek, on Delaware, and soe by yᵉ s^d Creek, and to take in the Townships of Southampton and Warminster; in Obedience thereto and Confirmation thereof, The President and Councill having Seriously Weighed and Considered yᵉ same, have & doe hereby agree and Order that the bounds between the said Countys shall be thus: to begin at yᵉ Mouth of Poetquesink Creek on Delaware River, and to goe up thence a long yᵉ said Creek by yᵉ severall Courses thereof, to a S. W. & N. E. Line, which said Line devides the Land belonging to Jos. Growdon & Compa., from yᵉ Southampton Township; from thence by a Lyne of Marked Trees along the said Line 120 Perches more or less, from thence N. W. by a Line of marked Trees, which said Line impart devided the Land belonging to Nich. Moor from Southampton & Warminster Townships, Contermeing the said Line as far as yᵉ said County shall Extend.

The Petition of Jno. Day was read; he is referred to two or three Justices of yᵉ Peace to hear yᵉ Buisness.

A Bill for Leather to be well Tand was read a first reading: Past N. C.

A Bill for fences to be Viewed read a first reading: past N. C.

Adjourned till 9th 2^d month, 85.

At a Councill held at Philadelphia The 9th of the 2^d month, 1685.

PRESENT:

THOMAS LLOYD, Presid^t.

Tho: Holmes,	John Cann,	Phin. Pemberton,
Jno. Symcock,	Nich. Newlin,	Chr: Taylor,
Wm. Wood,	Luke Watson,	Peter Alrichs.
Wm. Clarke,	Tho. Janney,	

This day the Law past by this board to be permulgated, were read a second and third time and past, N. C.

Ordered that when Sam^{ll} Carpenter hath his Comission to appoint a Collector in New Castle County, that there shall be Care taken to Satisfie those that Watcht in yᵉ fort by yᵉ Gov^{rs} Order.

Ordered Vnanimously in Councill, that Each County in this Province & Territories in their publick Assessm^t, advance wth all Expedition the sum of tenn pounds, w^{ch} they all agree to be Raised for Richard Ingelo, Towards his Attendance and servise in Councill.

Adjourned till 25th 2^{d} month, 85.

At a Councill held at Philadelphia The 25th of y^{e} 2^{d} month, 1685.

PRESENT:

THOMAS HOLMES, Presid^{t}.

Wm. fframpton, Luke Watson, Jno. Barnes.

The Petition of Jno. Butterworth being read, as also the annexed Letter from Tho: Olive, Deputy Gov^{r} of West Jarsey, whereby the said Butterworth Complained unto the Justices of the County of Philadelphia, for his Wages due unto him from Henry Patrick, Comender of the Ship Dispatch of London, for four months Wages, Ending y^{e} 5th of y^{e} first month Last, at y^{e} rate of twenty-eight Shillings sterling money of England p. month, amounting to Seaven pounds Currant money of this Province, and y^{e} same after severall Demands refused to be payd by y^{e} said Henry Patrick; and Wheras, y^{e} said Justices of y^{e} Peace have recomended the State of y^{e} Case of the said Petitio^{r} to this board, that so he might not perish, or be a Charge to this Province for want of his Just Wages.

This Board upon Consideration had of the premises, have thought fit and doe hereby Order the Justices of the peace for the towne of New Castle, or any four of them, by Sumons or Warrant, to send for the said Henry Patrick, whether on shore within their said Presinkt, or on board of his Ship, Over against the said presinkt in the River Delaware, and to Cause him to make payment of y^{e} aforesaid sum to the said Butterworth or his assignes, or Otherways to give Security for y^{e} paym^{t} thereof in such reasonable time as you shall see meet in you discretion, Unless he, the said Henry Patrick, can Legally make it appear before you that he hath paid y^{e} said Butterworth any more towards his wages then he alledgeth due to him, or that he can give you satisfaction why he aught not to pay y^{e} s^{d} wages.

Adjourned till y^{e} 28th 2^{d} Mo., 85.

At a Councill held at Philadelphia y^{e} 28th 2^{d} Mo., 1685.

PRESENT:

THOMAS HOLMES, Presid^{t}.

Chris. Taylor, Luke Watson, Jno. Barnes.
Wm. fframpton,

Wm. Dareing's Petition was this day read.

Wheras, a Petition was this day by Wm. Dareing, Master of y^{e} Ship Wrenn, Exhibited to this board, thereby alledging and setting forth that Jno. Harrison, seamen, Geo. Ambler, and Tho. Pringle, Servants belonging to y^e said Ship, were at y^e Last Prov^{ll} Court held at New Castle, Ordered and Sensured to pay tenn pounds seaven Shillings for a hogg, Valued at One pounds three Shillings, besides two of them to be Whipt, and y^e said master Complaining of y^e said Santence of Court to be Severe, and Contrary to Law, hath Petitioned this board to have the Execution of y^e said Sentance suspended.

Upon Consideration had of y^e Allegations in y^e s^d Petition, It is Ordered y^t y^e Execution of y^e s^d Sentance be suspended, and y^t y^e Justices & Sherriff of y^e Town of New Castle are hereby Impowerd to suspend the same accordingly, untill y^e Prov^{ll} Judges doe returne to this Towne, and y^e Councill have Conferd with them, and thereby receive a full and Clear account & understanding of this matter, for w^{ch} this shall be to you and Every one of you your Sufficient Warr^t.

Adjourned till y^e 11th 3^d Mo., 85.

At a Councill held at Philadelphia The 11th of The 3^d month, 1685.

PRESENT:

THOMAS LLOYD, Presid^t.

Thom. Holmes,	Jno. Cann,	Wm. Southersby,
Chri. Taylor,	Wm. Darvall,	Wm. fframpton,
Jno. Roads,	Jno. Barnes,	Wm. Wood.
Luke Watson,		

The Presid^t having acquainted y^e Councill from York of the Death of our Late Soveraign, King CHARLES the Second, and of y^e Proclaming of James, Duke of York & Albany, JAMES the second of England, Scotland, france & Ireland, King; and having read a Coppy to this board of y^e printed account of King Charles y^e Second's Death, with the Declaration of the Lord's Spirituall and Temporall of the realme of England, wth those of the Privy Councill, the Lord May^r, Aldermen and Cittyzens of London, with y^e present King's Speach, Thought it their Duty, and unanimously agreed that y^e said papers be Solemnly read in y^e psents of y^e Representatives of y^e freemen of this Province & Territories, before the Gov^{rs} Gate, in y^e Towne of Philadelphia, and that the paper drawne in Councill for y^e Publication of King JAMES the Second, wth y^e aprobation of y^e Assemblymen, be read accordingly, by Such a Person as y^e Councill shall appoint.

The Councill thought fit not to proceed upon any affair in a Legislative Capassity, untill such as the Publication of King James y^e Second be Over.

John Roads was this day attested to Keep Secret y^e Debates of Councill.

Adjourned till y^e 12 3^d Mo., 85.

At a Councill held at Philadelphia The 12th of ye 3d Mo., 1685.

PRESENT:

THOMAS LLOYD, Presidt.

Tho: Holmes,
Wm. Wood,
Jno. Symcock,
Chri: Taylor,
Tho. Janney,
Phin: Pemberton,
Jno. Barnes,
Peter Alrichs,
Jno. Cann,
John Roads,
Wm. fframpton,
Wm. Southersby.
Wm. Darvall,
Luke Watson,
Edw. Greene.

Ordered that Richard Ingelo, Clark of the Councill, read the following Publication of KING JAMES the Second of England, &c. this day at the 9th hour.

PENNSILVANIA:

Wee, the President and Provll Councill, accompained wth the representatives of ye Freemen in Assembly, & Divers Magistrats, Officers, and other Persons of note, doe in Duty, and in Concurrance with our neighbouring Provinces, Solemnly Publish and Declare that James, Duke of York and Albany, by the Decease of our Late Sovereign Charles the Second, is now become our Lawfull Leige Lord and King, James the Second of England, Scotland, France, & Ireland; and (amongst others of his Dominions in America) of this Province of Pennsilvania and its Territories KING; To whom Wee acknowledge faithfull & Constant Obediance, hartily Wishing him a happy Raign, in health, peace & prosperity.

AND SO GOD SAVE THE KING,

These Names following were Subscribed:

THO: LLOYD, Presidt.

Tho: Holmes,
Chris: Taylor,
Phi. Pemberton,
Wm. Frampton,
Wm. Southersby,
Peter Alrichs,
Wm. Darvall,
Luke Watson,
Jno. Roads,
Edwd Green,
Jno. Symcock.
Jno. Cann,
Wm. Wood,
Tho. Janney,
Jno. Barnes.

Richard Ingelo, Cl Concy Appointed for a Comittee Jno. Symcock, Wm. Wood, Jno. Cann, Phi: Pemberton, Wm. frampton and Tho. Holmes, to receive proposalls from the Assembly.

Peter Alrichs desired Leave of this board to goe to Birlington, wch was granted him.

Ordered that a Bill Concerning the Continueing the Old Laws be given to ye Assembly.

Adjourned into a Comittee till ye 13th 3d Mo., 85.

The Comittee Mett With others of the Members The 13th 3d Mo., 1685.

THO: HOLMES, Chairman.

The Speaker of the Assembly attended with Abram Man.

Jno. Hill & Henry Baker were Sent from the Assembly to propose to this board that they desire that y^e Stile of y^e Promulgated Bills may be according to Charter.

The Comittee have Considered the matter, and make this Report to y^e President & Councill: that it is both Convenient & safe to have the Law to be passed to be according to Charter.

The President and Councill grant that the Stile to y^e preamble of y^e Promulgated Bills shall be according to Charter.

The Petition of Jno. Mackeney was read; the Councill are not Inclined to grant a Lycence but where there are Conveniences for Entertainm^t.

Wm. Berry & francis Standfield Sent from y^e Assembly to desire a Conferance, which was Complyed with.

The Petition of Wm. Darcing being read; Cornelius Emson & James Rades being attested, gave in their Evidence in Writing Concerning it, w^{ch} remains on the file.

Ordered that y^e Clark of y^e Councill deliver to y^e Speaker 3 bills, No. 3, 4 & 5, w^{ch} was done.

Adjourned till y^e 14 3^d Mo., 85.

The Comittee being Mett y^e 14th 3^d Mo., 1685.

Two of the Memb. of Assembly attended this Board wth amendm^{ts} on the Bill of ffineing Justices from five pounds to five shillings.

The Comittee doe desire the Assembly to Weigh & Consider the reasons given for passing this Bill as it is, as you may Informe them fully.

Phi. Pemberton Informed the Comittee of the Indians killing their hoggs at the Falls: agreed that Care shall be Taken in it.

The Petition of Jacob Lassere & Jacob Pellison was read, but not being according the act of Naturalisation in its Stile, the advice of the board is that it should be accordingly amended, and it shall have it respectfull Notice; which was accordingly done.

Three of y^e Members of Assembly attended this board, and desired that y^e Bill No. 3 might be reduced from five pounds to thirty Shillings, and y^e Bill No. 5, from twenty Shillings to tenn. This Board reced the Bills with amendm^{ts}.

Two of y^e Memb^{rs} of Assembly attended this board, desireing more bills.

Ordered that y^e Clark deliver to them the Bills No. 6, 7, 8.

Adjourned till 5 o'Clock afternoon.

POST MERIDIEM.

The Comittee being Mett:

Tho. Usher and Jno. Blunston, Members of Assembly, attended this Board with the 6th Bill, desireing this amendm^t, Viz^t: to Incert these words, to y^e wrong of his Neighbour or any other Person, after y^e word Land Marke.

Agreed yt it should past with that amendmt; also, they were ordered to desire more Bills.

Ordered yt the Clark deliver to them the Bills No. 12, 13. 14, 15.

The Petition of Charles Pickerin was read, and it is ye sence of this board that the Petionr in reference to privileges and ffreedom, Stands in an Equal Capacity with other Persons of his Station in this Province, &c.

Adjourned till 15th 3d Mo., 1685.

At a Councill held at Philadelphia The 15th 3d Mo., 1685.

PRESENT:

THOMAS LLOYD, Presidt.

Tho. Holmes,
Jno. Symcock,
Wm. fframpton,
Jno. Roads,
Peter Alrichs,
Jno. Barnes,
Chris. Taylor,
Jno. Cann,
Nich. Newlin,
Wm. Southersby,
Wm. Darvall,
Edwd Green,
Phin. Pemberton,
Tho. Janney,
Luke Watson.

The Speaker, wth three more of the Assembly, attended this board with three Bills, Vizt: ye 12, 13, 14, for Amendmts; Agreed they should pass wth Amendmts.

Adjourned till 4 of ye Clock Afternoone.

POST MERIDIEM.

The Presidt & Councill being Mett:

Two of the Members of Assembly attended this board to desire a Conferance, which was agreed to.

The Declaration of the freemen in Assembly against Nich. Moore. one of their Members, that he should be removed from all his Offices of Trust and Power in this Province & Territories, wch Declaration was read and Ordered by this board to be recorded, wch is as followed:

The Assembly's Declaration against Nich. Moore, presented May 15th, 1685, to ye President and Provll Councill in ye Councill Chamber, by the Speaker & Members of the Assembly:

For the Speedy redress of divers Evils & Mischiefs wch this Province and Territories now Labour under, & for ye preventing the farther growth and Increase of ye same, & to the honour and Safety of the Govr and Governmt of this Province & Territoris, and by good & Welfare of ye People thereof, the freemen in Assembly now mett. doe by this their bill, shew & Declare against Nich. Moore, Pryor Judg and member of Assembly of ye Province of Pennsilvania, &c. The Misdemeanors, Offences & Crimes, and Other Matters Comprized in the Articles following; and him, ye said Nich. Moore, doe accuse of the said Misdemeanors, Offences & Crimes.

1st. The said Nich. Moore Assumeing to himselfe an unlimitted & Arbitrary Power beyond the Prescription or Laws of this Governm^{t}, hath presumed of his owne Authority, to Send Unlawfull Writts to the Sherriffs, and to ascertain and appoint the Time of y^{e} Prov^{ll} Cirquits without the Direction & Concurrence of y^{e} Prov^{ll} Councill, wherby the time of their Sessions hath been Antisipated, the Severall Countys being Surprized by the Shortness of their Warning, and thereby being Impossible to give due Sumons according to Law, Either of Jurys, Wittnesses, or Persons Concerned, whereby some Persons have been forced to Irregular Tryalls, and Others absolutely denyed Justice.

2dly. The said Nich. Moore, Judge, having that high Trust Lodged in him for the Equall Distribution of Justice, without respect of Persons, the said Judge Sitting in Judgem^{t} at New Castle, hath presumed to cast out a person from being of a Jury, after y^{e} said Person was Lawfully attested to y^{e} True Tryall of y^{e} Cause, thereby rending an Innocent & Lawful Person Infamous in the face of the County, by rejecting his attestation after Lawfully Taken, and Depriving the plantif of his Just Right.

3dly. The said Nich. Moore, Sitting in Judgm^{t}, did in y^{e} towne of New Castle, refuse a Verdict brought in by a Lawfull Jury, and by Divers threats & Menaces, and Threatning y^{e} Jury with y^{e} same* of Perjury and crim of their Estates, forced y^{e} said Jury to goe out so often, untill they had brought a Direct Contrary Verdict to the first, Thereby preventing Justice, and wounding the Libertyes of y^{e} free people of this Province and Territories in the Tenderest point of their Privelege, and Violently Usurping over y^{e} Consciences of the Jury.

4thly. The said Nich. Moore, although there was noe Lawfull sumons according to Law for Partys Concerned to make preparation, did Arbitrarily reject and Cast out the Complaint of Jno. Wooters, in New Castle Court, hereby not only Delaying but denying Justice to him, coming in a Lawfull way to Demand it.

5thly. The said Nich. Moore assuming to himselfe an Unlimitted and unlawfull Power, did, Sitting in Judgm^{t} at y^{e} aforesaid Towne of New Castle, wherin two persons stood Charged in a Civil action, it being in its own Nature only Trover & Convertion, and y^{e} pretended Indictm^{t} raised it no higher, notwthstanding the said Moore did give the Judgm^{t} of fellony, Comending the Defendent to be Publickly Whipt, & Each to be fined to pay three fould, thereby Tyranizeing over the persons, Estates and reputations of the people of this Province and Territories, Contrary to Law and Reason.

6thly. The said Nich. Moore Comanding a Witness to be Examined, did by overawing & greatly Perverting y^{e} Sence of y^{e} Wittnesses, Charge and Condamne the said Wittness to be guilty of Perjury, and to suffer the paines in that Case provided, & by proclamation to be for Ever rendred uncapable of being rectus in Curia in this Governm^{t}, and also fined him, Contrary to Law.

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*Fame or name.

7thly. And Wheras, the Wisdom of the Generall Assembly did Conceive the Circular Courts would be their best Expedient for Ending all kind of Differences whatsoever, the said Nich. Moore, at y^e Said Towne of New Castle, Comanding the records of y^e former Circular Courts to be produced, w^{ch} y^e said Moore reading, he did in the Open Court, Censure the Judgm^t of y^e preceeding Judges, by Saying their Judgm^t was not right, thereby Distracting y^e People betwixt divers and Contrary Judgm^{ts}, and perpetuating Endless & Vexatious Suits.

8thly. The said Nich. Moore, Sitting in Judgm^t at Chester, did in a most Ambitious, Insulting & Arbitrary way, reverse and Impeach the Judgm^t of y^e Justices of y^e said County Court, and Publickly affronting the members thereof, although the matter came not regularly before the said Circular Court, thereby drawing the Magistrates into the Contempt of y^e people, and Weakening their hands in the administration of Justice.

9thly. The said Nich. Moore being Chosen as abovesaid, to be Judg of y^e Circular Court according to law, w^{ch} obliges y^e said Judges both spring and fall, to goe their Cirquits; and y^e said Nich. Moore assuming to himselfe the power of appointing the Times, as he is the pretended Chief Judg in The Province and the Territories thereof, hath notwithstanding, Declined the two Lower Cirquits, to y^e great delay of Justice and Breach of his Trust, & Mischief and Inconvenience of y^e free people of y^e said Lower Countys.

10thly. The said Judg Moore resolving to put no Bounds to his Violence, Ambition and Oppression, hath, to y^e Dishonour of the Gov^r, and Contempt of y^e Governm^t, Declared that neither he nor his Actions are accountable to y^e Presid^t and Prov^{ll} Councill, by Despiseing and Conteining their Orders & precepts, and Questionning and Denying their Authority, thereby Shrowding & Protecting himselfe in all the aforesaid Violences, to the rendring the Misserys of the Opressed Intollerable & perpetuall, to the Subversion of the most Excellent frame of this Governm^t, and the raising himselfe above the reach of Justice.

11thly. For all w^{ch}, and divers other High Crimes and Misdemeanors, the ffreemen in Assembly Mett, saving to themselves by protestation, the Liberty of Exhibiting now and any time hereafter any further Charge and Accusation against the said Nich. Moore, doe now Impeach the said Nich. Moore of all the foregoing Crimes and misdemean^{rs}, and humbly request the Presid^t & Prov^{ll} Councill that he, the said Nich. Moore, may be removed from his great Offices & Trust, and answer to the said Objected Crimes and misdemeanors.

JOHN WHITE, Speaker, in the Behalfe and
by the Order of the Assembly, now mett
in Philadelphia.

Tho. Holmes, Jno. Symcock, Wm. Darvall, Phin. Pemberton, are desired to acquaint Judg Moore how that y^e Declaration aforementioned was presented by the Speaker & Members of Assembly this Evening, and that the Councill doe request him to appear at ye Councill to morrow Morning, by the Seaventh hour.

Adjourned till ye 16th 3d Mo., 85.

At a Councill held at Philadelphia The 16th 3d month, 1685.

PRESENT:

THOMAS LLOYD, Presidt.

Tho. Holmes,
Jno. Symcock,
Tho. Janney,
Nich. Newlin,
Wm. Southersby,
Jno. Roads,
Wm. fframpton,
Phin. Pemberton,
Jno. Barnes,
Luke Watson,
Edwd Green,
Jno. Cann,
Peter Aldrichs.

Jno. Blunstone & Tho. Usher Sent to this Board to desire a Conferance: Ordered that they shall have notice from this board when they are ready to Conferr wth them, they having some other Buisness now upon them.

Adjourned till three of ye Clock Afternoone.

POST MERIDIEM.

Mr. Man Complayning that a Prisoner was sheltered in the Govrn house,

The Presidt asked him whether he was taken into Custody by the Order of this board or by the Assembly.

Abram Man, in behalfe of ye rest, said they did it as their own act; the Sherriff also being asked the Question, acknowleged the same.

Whereupon, the Presidt did disavow that this board did allow him in any Kind. Questn put to Patrick Robinson what Imediate Power was used; he said the Warrant would show it, wch was read.

The Speaker & Assembly againe desired that the Declaration against Nich. Moore, Prvar Judge, might againe be read, wch was accordingly done; wch Was without Direction to the Councill, nor Subscribed by the Speaker or any of the Assembly, nor noe place mentioned therein.

Adjourned till 18th 3d Mo., 85.

At a Councill held at Philadelphia ye 18th of ye 3d month, 1685.

PRESENT:

THOMAS LLOYD, Presidt.

John Cann,
Jno. Roads,
Lu. Watson,
Wm. frampton,
Tho. Holmes,
Jno. Symcock,
Wm. Southersby,
Wm. Darvall,
Nich. Newlin,
John Barnes,
Edwd Greene,
Phin. Pemberton.
Chris. Taylor.
Wm. Wood.
Peter Alrichs.
Tho. Janney.

The Speaker, with y^{e} Assembly, attended this board, & Declared that they were abused by Pat. Robinson, who said you have drawn up an Impeachm^{t} against Pres^{t} Moore at hab nab, for which the desire satisfaction.

The Presid^{t} and Prov^{ll} Councill Takeing into Consideration the words Spoken by Pat. Robinson, this board Concerning the Assembly, that the Impeachm^{t} against Judg Moore was drawn hab. nab. w^{ch} Expressions of his wee doe unanimously declare to be undecent, unalowable, & to be disowned.

The Petition of Pat. Kenerly read, and he is referred to Tho. Holmes, Wm. fframpton & Phin. Pemberton, to End y Buisness.

Adjourned till 4 a Clock in y^{e} Afternoone.

POST MERIDIEM.

The Presid^{t} & Prov^{ll} Councill being mett:

Wm. Darvall desired leave to goe home, he having Extrordinary Buisness, w^{ch} was granted.

The Speaker with the Assembly, Attended this board to mage good their Allegations against Nich. Moore.

In proof of y^{e} first Article, Especially The first Branch thereof, Viz^{t}: That is persciving to Send unlawfull Writts to the Sherriffs, &c.

The Speaker, by Consent and in behalfe of y^{e} Assembly, assertains that Judg Moore's his Writt for holding a Prov^{ll} Court at New Castle, came to the Sherriff's hand but six days before the perfixt day for holding the Court, and by his Writt he Comands the Sheriff to Sumons all Lords of Mannors & Justices to attend the Prov^{ll} Judges, and forty Eight freemen for a grand Jury, & twenty-four for a Petty Jury; Jno. Cann declares the same; Tho. Usher declares that the Sherriff of Chester County had no time but five days before the Court was held.

for proof of the Second Article:

They Desire the Benefit of James Reads' Testimony, formerly given in.

Jno. Cann, a Memb. of Councill, declares to y^{e} best of his knowledge, that upon y^{e} Objections of y^{e} Defend^{ts}, y^{e} Court Yielded that before the said James Reads was attested, he should be layd by, but notwithstanding, through some Omission, after he was attested he was laid by.

for proof of y^{e} third Article:

John Cann further declares that he was in Court upon this Tryall when y^{e} Jury came in, who being asked by Judge Moore whether they were all agreed, he thinks they sayd they were all agreed, he is not certaine; and y^{e} Jury being asked what was their Verdict, they said Eight pounds: the Judg asked them what they meant by it: they said they found Eight pounds for the Plaintiff: Judg Moore urges thereupon, what is Eight pounds in Comparison of five hundred pounds alledged in the Declaration, and further said to y^{e} Jury, this is noe Verdict, you most goe out and finde according to Evidence, or Else you are all perjured Persons:

Whereupon they went out, and brought in their Verdict the next morning for the Defendant, wth Costs of Suit.

Jno. White Speaker, Declares fully w^th^ Jn^o^ Cann, but further Saith that the Jury being asked by Judg Moore whether they were all and Every One agreed, & being thrice asked, they did declare they were Every One agreed, and notwithstanding, he said they must bring in an Other Verdict.

Edw^d^ Green, a Memb. of Councill, declares that he was in Court also when y^e^ Verdict upon y^e^ Tryall of Abram. Man, Plantif, and Edm^d^ Cantwell, defendant, and upon the Jury's giving in their Verdict of Eight pounds; Wherupon Judg Moore said it was no Verdict, but they must finde y^e^ Verdict according to Law & Evidence, soe he Sent them out, and they came into Court next morning, and after the Judg had admonished them, he asked if they were all agreed, and they said not; and he sent them back againe, requiring them to bring in their Verdict according to Law & Evidence: They went out againe and brought in for the Def^t^, w^th^ Costs of Suit: Wheras, it is Omitted in y^e^ first part of this Evidence upon y^e^ Jury's first Coming in, y^e^ Judge asked if they were all agreed, and they said they were all agreed, and they finding Eight pounds for the plan^t^, the Judge asking them who they found Eight pounds for, they said for y^e^ Plantif.

Adjourned till y^e^ 19^th^ 3^d^ month, 85.

At a Councill held at Philadelphia The 19^th^ 3^d^ Mo., 1685.

PRESENT:

THOMAS LLOYD, Presid^t^.

Tho: Holmes,	Nich. Newlin,	Luke Watson,
John Symcock,	Jno. Cann,	Jno. Roads,
Wm. Wood,	Tho: Janney,	Jno. Barnes,
Wm. frampton,	Phin: Pemberton,	Pet^r^ Aldrichs.
Wm. Southersby,		

The Speaker and y^e^ Assembly attended this board.

The Presid^t^ & Councill having reced from y^e^ Managers nominated by the Assembly, what proof they though well to offer to y^e^ three first Articles, which Managers are y^e^ Speaker, Abram. Man, Tho: Usher, Jno. Blumstone, Wm. Berry & Sam^ll^ Gray, these Persons were Continued Managers for the proof of y^e^ whole Exhibited Articles by their Own Order.

As to y^e^ fourth Article being not so Intelligably Worded to the apprehension of y^e^ Councill, y^e^ Assembly requested by their managers that a further Explainter Sence might be admitted.

As to y^e^ fifth Article, they urge a Record from under the Clarke of the Circular Courts hand, and in the whole say, that y^e^ proof of the Intended Indictm^t^ was false.

As to y^e^ sixth Article, Jno. Cann Declared that Judg Moore Seeming by a Threatning word, Called Jno. Harrison to be an Evidence against Tho: Pringler & Geo: Ambler, he demanded of Harrison to declare what he knew Concerning the hogg in Question: The said

Harrison Declared he knew nothing of the taking of y^e^ hogg for he was at Philadelphia at y^e^ same time: upon severall Other Questions asked him whether he had seen or Eat any of it, he Declared he had both Seen and Eat: upon that y^e^ Jury had this in Charge, the Judge telling them it was perjury, they accordingly found the Person Guilty of Perjury.

As to the Seaventh Article, Wherin Judg Moore is accused of Judging of y^e^ proceeding of y^e^ foregoeing Court Circular.

As to the Eight Article, Jno. Blunstone, Tho: Usher and Geo. Maries, Justices of y^e^ Peace for the County of Chester, declared That Sitting in Judicature in Chester County Court, upon an Action, Dennis Rochford being Plant. & Jno. Hickman Def^t^, that after Judgm^t^ regularly obtained in that Court by y^e^ aforesaid Plantiff, against y^e^ Deffend^t^, an Execution was granted & y^e^ Def^t^ Taken thereby: Yet notwithstanding y^e^ said Nich. Moore, upon a Bare Petition of y^e^ said Defend^t^, he Vacated y^e^ Judgm^t^ and discharged y^e^ Prisoner; also the said Judg Moore did arbitrarily take upon him meerly by a Petition, to Reverse a Judgm^t^ Duly Obteined in y^e^ County Court of Chester, by Tho: Withers, plantif, Wm. Taylor, Defend^t^; this was done by y^e^ said Judg Moore y^e^ 18 2^d^ Mo., 1685 Last.

As to y^e^ ninth Article, Sam^ll^ Grey and Jno. Hill allege it is aparent that Nich. Moore was bound in Duty to goe to y^e^ Lower Countys, to Keep the Spring Prov^ll^ Court, yet notwithstanding, Declined his Duty, to the Manifest Rewin & Disappointm^t^ of Severall ffreemen.

As to the tenth Article, Wherby they Suggest severall Contemptuous & Derogatory Expressions Spoken by Judg Moore of the Prov^ll^ Councill and of the present State of Governm^t^ by Calling the Memb. thereof fooles & Logerheads, and said it were well if all the Laws had Drapt, and that it would never be good Times as Long as y^e^ Quakers had the Administration.

Wm. Carter, & Robert Clifton & Sam^ll^ Grey, declare that Nich. Moore advised them to proteste against y^e^ Last Promulgated Bills.

Upon y^e^ Reading Over y^e^ Declaraon before y^e^ Prov^ll^ Councill by the Assembly, against Nich. Moore, and their Allegations for proof of their Articles being received by y^e^ Clarke of y^e^ Councill, the Assembly Moved that y^e^ said Nich. Moore might be removed from all places of Trust and Power.

The Speaker being asked if they Came as an Assembly or a Comittee, they said they Came as an Assembly.

Upon the Peruseing of y^e^ allegations and Testimonys given in by the Memb. of Assembly, with some of y^e^ Councill, in Order to prove and to make aparent y^e^ Charge Exhibited in the Articles against Nich. Moore, one of the Prov^ll^ Judges,

The Councill Unanimously agreed and Ordered that Express notice shall be given, with all dispatcht be sent to him to signifie the sence of this board, and that he make his appearance before y^e^ Presid^t^ and Prov^ll^ Councill in the Councill Chamber, at three of y^e^ Clock this afternoone; being the 19 Instant.

The Assembly Presented a Petition to displace Patrick Robinson from any Office of Trust & Profitt, Which Petition was read, & shall be weightily Considered and answered.

The fifteene Laws were this day read, and twelve of them were past in ye Affirmative and three in the Negative.

Adjourned till ye 28th 3d Mo., 1685.

At a Councill held at Philadelphia The 28th of the 3d Mo., 1685.

PRESENT:

THOMAS LLOYD, Presidt.

Tho: Holmes, John Barnes, Wm. Frampton.

A Letter from Proprietary Penn was read, Authorizing the President & Provll Councill to Constitute Capt. Wm. Markham, Secretary of ye Province & Territories, and also the Propors Secretry, and to make Voyd all other Comissions, if any be.

Jacob Pellison & Jacob Sessarys, in Persuance of their Petion and former Order of Councill, it was referred to ye Presidt to signe ye same, they Subscribeing their Names to a Declaration Dischargeing themselves according to Law.

In Complyance wth the Govrs Instructions, Ordered that a Comission be drawn to Comissionate Capt. Wm. Markham, Secretary of ye Province & Territories, & also Secretary to ye Propor and Governor.

Instructions Sent to Capt. Wm. Markham, that he in Conjuncktion with the rest of ye Magistrates of ye towne & County of New Castle, to proclame James the Second King of England, Scotland, france and Ireland, &c.

Adjourned till 2d 4th Mo., 85.

At a Councill held at Philadelphia The 2d 4th month, 1685.

PRESENT:

THOMAS LLOYD, Presidt.

Jno. Symcock, Wm. frampton, Wm. Markham.
Wm. Clarke,

Wm. Haigue requesting a Speciall Court at New Castle: granted and Ordered that a Comission be drawn.

Ordered that Speedy notice be Sent to Judg Moore by the Clark of ye Councill, that he Desist & Cease from further Acting in any place of Authority or Judicature, till the Articles of Impeachmt Exhibited against him by the Assembly be Tryed, or Satisfaction be made to this board.

The Petition of the Assembly against Patrick Robinson being debated of in Councill, upon the Consideration and perusall of ye same, Wee doe Conclude that he cannot be Regularly removed from his Clarcke's places or Office till he is Legally Convicted of ill fame, and those Crimes & Misdemeanrs alleged against him, which was presented to this board by John White, Speaker, in behalfe of the Assembly; and after such Conviction, it is resolved that he shall be readily Dismist from any Publick Office of Trust in this Government.

At a Councill in the Councill Roome at Philadelphia ye 11th of ye 4th month, 1685.

PRESENT:

THOMAS HOLMES, Presidt.

John Barnes, Wm. Markham, Secre.

The Presidt ordr that a Warrant be made for ye Sumonsing of Joseph Massie, Master of ye Grayhound fly boat, to appeare before the Presidt and Councill, to answer the Complaints made by passingers that Came in his Ship from England and Ireland, as well for detayning or *Imbellishing Severall goods Shipt on board his said fly boat for this Province.

Adjourned till further Order.

At a Councill in the Councill Roome at Philadelphia The 13th 4th month, 1685.

PRESENT:

THOMAS HOLMES, Presidt.

John Barnes, Wm. Markham, Secre.

The Petition of Zachariah Whitepaine being read, Ordered that a Warrant be made for the bringing the families therin mentioned to ye Plantation of their Imployer, Viz: Zach. Whitepaine.

Adjourned till further Order.

At a Councill held in ye Councill Roome at Philadelphia, The 18th 4th Mo., 1685.

PRESENT:

THOMAS HOLMES, Presidt.

Wm. Frampton, Wm. Markham, Secre.

The Petition of Franc. Richardson was read, desiring a Speciall Court in ye County of Bucks, was Granted to be held ye 23th Inst.

Adjourned till Tomorrow.

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*Evidently Embezzling.

At a Councill in y^e Councill Roome at Philadelphia, The 19^{th} of y^e 4^{th} Month, 1685.

PRESENT:

THOMAS HOLMES, $Presid^t$.

Wm. Frampton, Wm. Markham, Secre.

$Rich^d$ Pittman's Petition against Joseph Master, M^r of the Ship Grayhound, being read, was Referd to y^e next County Court, or to y^e award of Arbitrators Indifferently Chosen.

The Petition of Jacobus Fabrisius was read, requesting the Keeping an ordinary: Answered they dont think fitt to grant y^e Petitioner's Request.

The Petition of Humph. Davenport in behalfe of Gabriel Minveale, $March^t$, of New York, y^t wee would grant him a Speciall Court to deside Differences between y^e s^d Minvielle and Jno. Royer and Eliz. Ogle, y^e Relict of Jno. Ogle, both of New Castle County, was granted to be held on y^e 25^{th} Inst., at New Castle.

Adjourned till further Order.

At a Councill in the Councill Roome at Philadelphia, y^e 3^d 5^{th} month, 1685.

PRESENT:

THOMAS HOLMES, $Presid^t$.

Chris. Taylor, Wm. Markham, Secre.

The Petition of Joseph Massey being read, Craveing a Speciall Court, was differd till to-morrow.

The Councill adjourned till to-morrow, 8 in y^e Morning.

At a Councill in the Councill Roome at Philadelphia, The 4^{th} of y^e 5^{th} Mo., 1685.

PRESENT:

THOMAS HOLMES, $Presid^t$.

Chr: Taylor, Phin: Pemberton, Wm. Markham, Secre.
Wm. Frampton,

The Petition of Joseph Massey being againe read, desireing a Speciall Court at Philadelphia, was granted to be held on y^e next third day, being the 7^{th} Inst.

The Petition of Humphrey Davenport on behalfe of Gabriell Minvielle, $Merch^t$, of New York, requesting a Speciall Court in y^e County of Philadelphia, granted to be held y^e next Third day, being y^e 7^{th} Inst.

Information being given to this board of ye unlawfull Marriage of Rd Noble, of ye County of New Castle, Ordered that ye Justices of that County have notice given by ye Secrtrs, to Inspect the same, and give Report thereof to this board.

The Petition of John day and Rd Orme, desireing a Justice of ye peace might be made at ye oper end of the Towne, was read.

The board reply'd they would take it into Consideration.

Motion being made to this board of a Necessity of a Comission for a Sherriff for Bucks County,

Ordered that Nich. Walne have Comission for ye same.

Ordered that George Martin have a Comission for Sherriff of Kent County.

The Petition of Richd Ingelo Concerning his money due to him from ye Governmt, was Read.

Ordered yt the Secretary make application to ye Comissrs Impowred to dispose of Land, to Grant ye said Richd Ingelo Eight hundred Acres, for wch Each County will Pay the Govr fiveteen pounds, all wch will be ninety pounds, the wch ninety pounds, and sixty formerly payd, will be in full satisfaction of all accounts with him.

The Petition of Wm. Daring being read for ye Release of his Servts out of New Castle Prison,

Ordered yt the Secretary Issue forth a Warrt to ye Sherriff of New Castle County, to deliver the said Servts to their Master, Capt. Wm. Dearing, he giving under his hand for their appearance before ye Councill the 7th Inst., and that ye Sherriff give notice to Hanse Peterson to be here also.

Ordered yt ye Secretary send to ye Sherriff of New Castle County, to Summonss ye Councellors that one of them be at Councill ye 10th Inst. by nine in ye morning.

The Councill finding occasion to have a watch kept in this towne, Ordered that it be recomended to ye Justices of this Towne to take care of ye same.

Adjourned till ye 10th Ist. by nine in ye forenoone.

At a Councill held at Philadelphia ye 10th of ye 5th Mo., 1685.

PRESENT:

THOMAS HOLMES, Presidt.

Chris: Taylor, Wm. frampton, Wm. Markham, Secre.

Adjourned till Three in ye Afternoone.

POST MERIDIEM.

PRESENT:

THOMAS HOLMES, Presidt.

Chris: Taylor, Wm. Wood, Wm. Southersby,
John Cann, Wm. Frampton, Wm. Markham, Secre.

The petition of Robt. Hutchinson Concerning the attachment of a horse being read, is refered to y^e^ Beneffit of y^e^ Law.

The Petition of John Boult being Read, against Countrey butchers bringing their meet to towne on other days than Marquett days: The answer Referred till to-morrow.

The Complaint of Wm. Dearing, M^r^ of y^e^ Ship Wrenn of London, against the Illegall proceedings of the Judges Nich. Moore & Rob^t^ Turner, against his servants at y^e^ Circular Court at New Castle, y^e^ 1^st^ Aprill, 1685, being read, and Hanse Peterson not appearing according to y^e^ minutes of 4^th^ Ins^t^. reply was made that John White appeared for him; upon w^ch^ John White was Called and asked if he knew any thing Why Hanse Peterson did not appear before y^e^ Councill upon warning given him by y^e^ Sherriff, at w^ch^ he produced a letter of Atturney from y^e^ s^d^ Hanse Peterson for his appearance for him, and after much dispute about Wm. Dearing's Complaint, it was proposed that Patrick Robinson should be sent for to produce y^e^ Records Concerning Capt. Dearing's men, wherupon Wm. Dearing produced a Coppy of y^e^ same, as he had formerly gott from Patrick Robinson, attested under his hand, w^ch^ was read; In w^ch^ there was mention made of one John Hollingsworth that had taken severall Testemonies or Evidences therein, to w^ch^ both John Cann & John White declared that there was no such person in the Countrey.

John White made several objections against that Record of y^e^ Circular Court, as y^e^ manner of y^e^ Indictm^t^ and y^e^ Judgm^ts^ upon them, but they asked wether Hanse Peterson would be satisfied if he were paid for y^e^ Single Hogg, he answered in y^e^ Affirmative.

Then he was desired to withdraw: then the Councill began to Consider w^t^ to doe; some doubting his last answer, would have John White Called againe, and being asked whether Hanse Peterson would be Contented to have only y^e^ reall vallue of one hogg paid him for all his demands, Viz^t^: twenty and three Shillings, he answered he would; then absented.

The Question being put whether the Sentence of y^e^ Judges against Jno. Harrison, Tho. Pringle & Geor. Amble, Imprisoned for Hogg steeling, should be remitted, it was past by y^e^ Major Vote.

Adjourned till 7^th^ The next morning.

At a Councill held at Philadelphia y^e^ 11^th^ of y^e^ 5^th^ month, 1685.

PRESENT:

THOMAS HOLMES, Presid^t^.

Chris: Taylor,	Wm. frampton,	Jno. Cann,
Wm. Southersby,	Wm. Wood,	Wm. Markham, Secre.

The Gov^rs^ Comission to Impower y^e^ Councill to Chuse President out of themselves, in y^e^ absence of Thom. Lloyd, was Read: Ordered to be Recorded.

The Question was put by the Presidt, whether ye Cause formerly depending between Hanse Peterson in behalfe of ye King, Govr and himselfe, (so worded in ye Records of ye Provll Circular Court,) & John Harrison, Tho. Pringle & George Ambler, wch had a hearing at ye last Circular Court held at New Castle, shall have a full hearing at this board or not;

It was agreed by all it should.

Ordered that ye Secretary send a Warrant directed to ye Sherriffs of ye four opper Countys, personally to summons all the members of Councill for their respective Countys, to be at Councill on the 28th Inst.

Capt. Wm. Dearing Comandr of ye Ship Wrenn of London, Inters into recognizance of Twenty pounds for ye bringing his two Servts John Harrison & Tho. Pringle, before this board ye 28th Inst, and from thence not to depart till by order of ye board.

Ordered yt ye Secretary Send a Summons to Hanse Peterson to appeare in Person before this board ye 28th Inst, upon ye penalty of ye forfeiture of one hundred pounds upon failure:

And that ye Secrety send an Order to ye Sherriff of New Castle County, to deliver unto Wm. Dearing his Servts, Geo. Ambler, to be brought before ye Councill ye 28th Inst., ye which Servt was mentioned to be delivered to his said Master by warrt from this board, dated ye 4th 5th month, 1685, as being one of ye Servants mentioned therein. but was not delivered accordingly.

The Petition of Samll Carpenter was read, Concerning an Execution he had against Socyety and James Claypoole, being mentioned therein, it being obteined at a provll Circular Court Signed by John Eckley, one of ye Judges. James Claypoole was sent for and ye Petition was read to him, to wch he made answer that he had appealed to England, but Samll Carpenter denyed it to be an appeale, since there was no Security given. Jam. Claypoole made answer that he was ready to give security. The Execution was ordered to be read, the wch being denyed by James Claypoole to be an Execution, Patrick Robinson, ye Clarck of ye Provll Circular Court, was sent for, who produced the Records of the said Court, wherein ye Judges allowed an appeale to England upon Security given; but no security being given, a Judgmt was Issued out against ye Society. Jam. Claypoole desired ye Councill would take his Security. The Councill refused, Denying it should be given out of that Court ye action was tryed in.

Samll Carpenter Complayning that ye Execution was signed but by one of ye Judges, Vizt: Jno. Eckley, and yt Wm. Clark was ye other Judge, and yt he had refused to sett his hand to it, notwithstanding he had given his Judgmt for it in Court.

Ordered yt the Secre. send a Summons to Wm. Clark to appeare before this board ye 28th Inst., to give his reason why he refused to signe ye Execution against the Society, he being one of ye Judges of that Court, and past his Judgmt in Court for it, or to send his reasons up under his hand, by ye aforesaid day.

The Petition of Wm. Southersby, who wish Wm. Berry were by appointmt of ye Govr, administratrs on ye Estate of francis Whitwell, deceased, was read, Requesting the Councill would give them reasonable satisfaction for their paines and troubles; and yt seeing ye debts are more then the Estate can bare, desires how the widdow shall be disposed off, and whether any of the Estate may be reserved for her.

Answer: When ye accounts are brought in ye Councill will Consider of it.

Adjourned till ye 28th Inst.

The 21th of ye 5th month, 1685.

Severall Indians made Complaint to ye Secre of abuses they received from ye servants of Jesper ffarmer, at ye said Jesper ffarmer's Plantation, Vizt: their makeing ye Indians drunk, then Lying with their Wives, and of their beating both men and their wives. The Secretary tould them by the Interpreters, Lacy Cock, that y Councill would sitt on ye 28th Inst., and desired they would be there then, and ye Servts should be sent for; but they telling him they could not Stay so long from hunting, but desired it might be on ye 24th Inst, and then they would taulk about ye Land not yett bought. The Secretary Sent a Summons to ye Servts by ye Sherriff, to appeare ye aforesaid 24th day, dated ye 21st Inst, and likewise sent a Lettr to Capt. Holmes, Presidt of ye Councill, to acquaint him of it, date ye 22d Inst, sent by ye Sherriff to Capt. Holmes' plantation.

The 23th of ye 5th Mo., 1685.

Capt. Wm. Dearing, Mr of ye Wrenn of London, desired of ye Secrety two Summonses, one for Robert White, ye other for Robt Roberts, to appeare before ye Councill ye 28th Inst, as witnesses on his behalfe, in ye differance between his servts and Hanse Peterson: was done & Entered.

The 24th of ye 5th Mo., 1685.

Wm. Haigue Request ye Secrety that a hue and Cry from East Jersie, after a servant of Mr. John White's, Marcht at New York, might have some force and authority to pass this Province & Territoryes; the Secretary Indorsed it and Sealed it with ye Seale of ye Province.

The 27th 5th Mo., 1685.

The Indians y^{t} made Complaint against Serv^{ts} of Jasper farmer, on y^{e} 21th Ins^{t}, and appoynted y^{e} 24th for a hearing before y^{e} Councill, the Indians mistooke y^{e} Day, & came not till y^{e} 25th Ins^{t}, and y^{e} Sherriff Messenger, with y^{e} Summons to Jasper farmer's Servants, Loosing his way in y^{e} woods, returned without Summonsing them to appear, upon both w^{ch} Disappoyntments, the Indians Concluded to appear y^{e} 28 Ins^{t}, and accordingly y^{e} Secretary sent a Sumons to John Skull, overseer to Jasper ffarmer's Serv^{ts}, for him and y^{e} Serv^{ts} to appeare, Especially John Below.

At a Councill in the Councill Roome at Philadelphia y^{e} 28th 5th Mo., 1685.

PRESENT:

THOMAS HOLMES, Presid^{t}.

Wm. fframpton,	Jno. Cann,	Nich. Newlin,
Jno. Symcock,	Tho: Janney,	Wm. Markham, Secre.

Maj^{r}. Dyer Came to y^{e} Councill, and tould y^{t} he presented himselfe before them according to his Instructions to take an oath, as that had directed him to doe before he Entred into his Office of y^{e} King's Collect^{r} of his Customes in Pennsilvania, and turned to y^{t} Clause in his Instructions & y^{e} Secret^{ry} read it to y^{e} Councill, with his Comission from y^{e} Comiss^{rs} of y^{e} Customes, and y^{e} Coppy of y^{e} Lords to them to grant it, Coppys of w^{ch} both were left.

The Councell tould him it was against their methods to take an Oath, but if he pleased to be attested, according to y^{e} Laws of the Province, they would attest him: he made answer, he understood that before, and Expected no otherways, for it was what he had done in East Jarsey. Then he was attested thus:

Thou dost Solemnly declare in y^{e} Presents of God, and before this board, that thou will truly and Justly performe y^{e} office of y^{e} King's Collect^{r} of his Customs in y^{e} Province of Pennsilvania, according to y^{e} Instructions he Received from y^{e} Comiss^{rs} of his Majesty's Customes.

Maj^{r}. Dyer produced a Coppy of y^{e} King's Proclamation Concerning the Plantion trade, w^{ch} was read and left with y^{e} Councill.

His Comission for Survey^{r} Gen^{ll} of his Maj^{ts} Collonys and Plantations in America was read, and y^{e} Coppy Left.

Then was Read Maj^{r}. Dyer's Instructions both for Survey^{r} Genall of all his Maj^{ts} Collonys & Plantations in America, & for Collec^{r} of Casaria, Pennsilvania and New Jarsey. In one Paragraph of his Instructions for Collector, he was directed to leave the Coppy of them wth y^{e} Gov^{r}, for w^{ch} he desired at present to be excused, he being in great haste goeing to New Yorke, and they would take up much time Coppying, but Intended shortly here againe, then would present them with one.

Majr. Dyer brought with him before ye Councill one Christopher Snowden, telling them that he intended to make him his Deputy Sercher and Wayter of his Majts Customes in Pennsilvania, and desired he might be attested accordingly, to performe his office as usuall, wch was don.

A Letter from Wm. Clark, no date, in answer to a Summons sent to him baring date ye 11th 5 month, 1685, was read.

Samll Carpenter being present, who desired ye Opinion of ye Councill whether James Claypoole ought now to give in Security and appeale for England or not: if he ought, he desired it might be done forthwith, for there he said he hoped to have some redress; or if of ye Contrary opinion, begg'd that he might have Speedy redress here. Then Samll Carpenter was asked whether any body had Refused to Execute that Execution: answered no, for he had not tryed any with it yett.

Then ye Councill gave their Opinion that Wm. Clark's letter Confirmed ye Execution, he only objecting against ye Wording it, the wch in his Sense, seemed to be as well against James Claypoole as against ye Goods of ye Society, wch to them appeared otherwise, Vizt: that James Claypoole was only mentioned therin as ye Person yt managed ye Cause for ye Society.

Samll Hersent, ye Sherriff, being at ye Doore, the Councill Called him in & asked him if he refused to serve ye Execution of Samll Carpenter against ye Society; who made answer he never saw it.

John Skull appeared with ye Servants of Jasper ffarmer, according to a Summons bearing date ye 27th Inst., but ye Indians being drunk in ye woods, & the Servants declaring they were affraid to goe home before ye Buisness was Ended, ye Councill ordered they should Stay in Towne till ya next day, when ye Indians were to be in Towne to Receive pay for ye Land bought of them.

Adjourned till Three in ye afternoone.

POST MERIDIEM.

PRESENT:

THOMAS HOLMES, Presidt.

Wm. fframpton,	Edwd Green,	Nich. Newlin,
Jno. Symcock,	Jno. Barnes,	Wm. Markham, Secre.
John Cann,	Tho. Janney,	

Wm. Dearing being called, desired leave of the board that Charles Pickerin might speake for ye Servants, wch was granted. The Councill requested yt ye Secretary give a Comission to Samll Carpenter, By ye Virtue of his Comission to be Deputy Threasurer.

A Letter was Read by ye Presidt, Directed to him from John Richardson, desireing Capt. Holme to Recomend him to ye Councell to be High Sheriff of Kent, in the Roome of Rich. Micheall, lately deceased, but was refused by all.

A Letter was Read directed to ye Councill from John Brinklow, Wm. Clark, Wm. Berry and Wm. Winsmore, Recomending Geo. Iarton for ye place of High Sherriff of Kent County, in ye roome of

Rich^d Micheall: Consented to, & Ordered that a Comission be drawne accordingly, to be in force a Yeare, or till further Order.

Ordered that Rich^d Ingelo bring the Bookes, w^th all y^e papers relating to y^e Minute or Journall of this Councill, or that any wayes Concernes us.

The Buisness of Wm. Dearing's Servants and Hans Peterson being called,

Appeared Wm. Dearing, Hanse Peterson, and y^e three Serv^ts. Charles Pickerin allowed by y^e request of Wm. Dearing to speake for the Serv^ts; and John White, by request, was allowed to speake for Hans Peterson.

John White being asked what he had to say against the Serv^ts of Wm. Dearing, Said that they were noe Defend^ts, for y^t they were well satisfyed w^th y^e Judgm^t the Court had given against them, and therefore, they expected a Charge from them; and that if Hanse Peterson should give a Charge against y^e Serv^ts, he was not prepared with his Evidences, not knowing that it would be tryed over againe. And Hans Peterson himself said, that notwithstanding he endeavoured to bring his Wittnesses but they refused to Come, and he knew not how to force them, being Ignorant of y^e Way, since a Justices Summons was not a Sufficient Warr^t for appearance before y^e Councill.

Then Charles Pickering did alleadg y^t y^e Serv^ts were Trappand by Hans Peterson, who some dayes before y^e Court, bidd them not appear there, promising them not to appear to prosecute them, by w^ch deceit they were unprovided for a deffence.

John White made answer that that could not be, for y^t Hans Peterson was bound in bonds not to prosecute them.

To prove Charles Pickerin's allegations:

Rob^t White was called for and attested to declare what he knew of y^e matter; who said y^t in his hearing Hanse Peterson tould Wm. Dearing, that he would Cleer them and bring them off, and y^t he need not to appeare. Hanse Peterson desiring he should be asked what time it was he heard him so, made answer he had forgott, but as well as he can remember, it was about six days before y^e Court.

Then falling into a Contraversie about y^e Legallity of y^e Indictment, w^ch was grounded on y^e 96 and 164 Chap^t in y^e Laws, it was ordered to be Read, and approved of.

Charles Pickerin desired Wm. Dearing should be attested to declare that Hans Peterson had said to him about his servants.

The Councill ordered them to withdraw, and then debated whether y^e M^r being Concerned, should be attested as an Evidence.

They gave their opinions he should be attested, w^ch was accordingly don; and then declared y^t Hans Peterson seeing him look angerly, bid him not be angry, for that he would bring his Serv^ts off, and y^t he was sorry for what he had done, & y^t it was don in his Passion.

Edw^d Green was attested to Declare what he knew of y^e Matter, declared:

That some Time last Winter y^e M^r Invited him on board, and goeing both together there, they found Hans Peterson's Wife with some other women: a Short time after Came Hans Peterson on board, w^th a

Complaint that some persons belonging to yᵉ Shipp had Killed his Hoggs: That Hans's Wife did then declare yᵗ yᵉ person that killed the hogg had before acquainted her with his purpose of doeing it, and after yᵉ hogg was Killed, did give her notice therof, that his Master might be Charged with it, the Master having before agreed with Hans for pork for his men, and yᵗ she tould him he might Carry it on board; and further saith yᵗ yᵉ sᵈ Hans did at yᵉ same time owne yᵗ yᵉ sᵈ Mʳ had spoak to him to lett him have some fresh pork for his people, and yᵗ he had promised they should: and further, that yᵉ sᵈ Hans said that provided he was payᵈ for his Hogg he Would be contented, & yᵗ yᵉ Master agreed to doe it.

Cornelius Empson Was attested to declare what he knew of yᵉ buisness, who said that when he had blamed Hans Peterson for Indicting yᵉ Servants of Wm. Dearing, when they had tould him before they would kill one of his Hoggs, he made answer that he was too hasty in it, but should bring them off well enough.

Then they were ordered to withdraw, whilst yᵉ Councill should debate yᵉ matter, but Immediatly Stepd in Abraham Man & John Blunstone. Abraham Man began thus: Wee are come in yᵉ name of yᵉ free people, to know whether you have not forgott yourselves in not bringing Judg Moore to a Tryall.

The Secretary asked him for his Petition.

Abraham Man made answer, that they did not look upon themselves obliged to come by way of Petition, considering whome they Represent: after some Sharpe repremands, from yᵉ Councill, they withdrew, and then yᵉ Councill

Adjourned till 7 yᵉ next Morning.

At a Councill in yᵉ Councill Roome at Philadelphia, The 29ᵗʰ of yᵉ 5ᵗʰ month, 1685.

PRESENT:

THOMAS HOLMES, Presidᵗ.

Wm. fframpton,	Tho. Janney,	Edwᵈ Green,
Jno. Symcock,	Nich. Newlin,	Wm. Markham, Secre.
John Barnes,		

The Petition of Joseph Massey, Mʳ of yᵉ Ship Grayhound of London, was Read, setting forth his Carpenter's absenting himselfe from his service, requesting a warrᵗ to serch for him in any suspected place of Concealing him: granted him, and that if apprehended, he be brought before yᵉ Councill, to be dealt withall according to Law.

The Petition of James Sanderlin's and Neals Lawson was Read, Complayning that they Could not have their Lands Resurveyᵈ in the towne Ship of Chester, alias Upland, according to an order from yᵉ Governor.

Appointed to be heard yᵉ next Sitting of yᵉ Councill, and a Sumons to be sent to Charles Ashcome, Deputy Surveyr of ye County of Chester, to give his reasons why he hath not obeyed ye said Warrt: and notice to be given to James Sanderling and Neels Lawson, yt they may then appeare.

Charles Pickerin, John White, Wm. Dearing, Hans Peterson, and ye three Servants of Wm. Dearing being Called, all of them were asked whether they would leave the whole Buisness & Difference between them to what ye Councill should order, or that they would have tryd by law.

They all agreed to leave it to this board to doe what they pleased therein.

They were Ordered to withdraw, and then ye Councill Debated about it, but it being urged that ye parties Concerned had not bound themselves in any penalty to Stand to their Order, they were Called in againe, and Hans Peterson Enters into Recognisance to ye Govr of tenn pounds to Stand and abide by ye Ordr of ye Councill.

Wm. Dearing Enters into a Recognizance of tenn pounds to ye Govr in behalfe of his Servts that they shall stand & abide by ye Order of ye Councill.

They were Ordered to withdraw, and after debate ye Councill Concluded thus: That ye Master Wm. Dearing, pay in behalfe of his three Servants, unto Hans Peterson, one pound three shillings, for y Hogg they killed of ye said Hans Peterson; And that Hans Peterson pay five pounds and tenn shillings, one pound tenn shillings whereoff, is to be payd to ye Secretary, and four pounds to ye High Sheriff of New Castle County, towards Charges, and that they release one another under hand & Seale, and ye three Servts goe quietly about their buisness.

John Blunston & George Maris, Came to renew their former desire in behalfe of ye Assembly, yt Patrick Robinson might be removed out of his Publique Offices, and that ye Tryall of Nich. Moore might not be delayed.

The Councill answered, that as soone as Presidt Lloyd, was come from New York, (who is Expected the next week,) they would give them an answer, but at present Could not.

In regard, Patrick Robinson was his Deputy in ye Office of Mr of ye Rolls.

Ordered that Wm. Stockdale and Cornelius Empson, have a Commission forthwith to be Justices of ye Peace for New Castle County, their Comission to stand in force for one year, or till further Order.

Adjourned till three in ye Afternoone.

POST MERIDIEM.

The Same Members of Councill mett this afternoone, & Adjourned till further order.

At a Councill in the Councill Roome at Philadelphia y^{e} 19th 6th Mo., 1685.

PRESENT:

THOMAS HOLMES, Presid^{t}.

Chris. Taylor Wm. frampton, Wm. Markham, Secre.

The Petition of Rich^{d} Blackleach of New England, March^{t}, was read, setting forth that Benjamin Chambers of Philadelphia is Indebted unto him y^{e} sume of fourty and one pounds, and of his necessity of being suddenly at home, y^{t} he could not without prejudice stay till y^{e} Court in its proper time should sitt, therfore Craves a Speciall Court.

Ordered y^{t} a Comission be made for y^{e} same to be held on y^{e} 24th Ins^{t}. Directed to y^{e} Justices of Philadelphia County, or any four of them.

Adjourned till further Ord^{r}.

The 24th 6th Mo., 1685.

Information being given to y^{e} Secretary by Sam^{ll} Land, that by y^{e} Death of one Lewis Davis formerly of New Castle County, his Estate for want of Heirs, and Dying intestates, fell to y^{e} Gov^{r}, and that if not timely prevented, others would Administer upon it, to y^{e} great Damage of y^{e} Gov^{r}. The Secretary did give a Warr^{t} to y^{e} Sherriff of y^{e} County to take into his possession all y^{e} Estate, both Reall and personall, & to send y^{e} account thereoff to y^{e} Presid^{t} & Councill, to be disposed off as they shall think fitt.

At a Councill Especially appointed for y^{e} Nominating of Judges at y^{e} Councill Roome at Philadelphia, The 14th 7th month, 1685.

PRESENT:

THOMAS LLOYD, Presid^{t}.

Tho: Holmes, Phin: Pemberton, Jno. Barnes,
Jno. Symcock, Chr: Taylor, Wm. Markham, Secre.
Wm. frampton,

Agreed that a Comission be drawne for Three Judges, Viz^{t}: James Harrison, James Claypoole and Arth. Cook.

Ordered The Comission be drawn forthwith.

Adjourned till y^{e} 16th Ins^{t}.

At a Meeting of ye Councill in ye Councill Roome in Philadelphia The 16th 7th Mo., 1685.

PRESENT:

THOMAS LLOYD, Presidt.

Tho. Holmes,
Chris. Taylor,
Jno. Symcock,
Wm. frampton,
Wm. Southersby,
Wm. Wood,
Phin. Pemberton,
John Barnes,
Wm. Markham, Secre.

The Minutes of ye Councills from ye 28th of ye 5th Mo. was Read: and wheras, on ye 29th of ye sd Mo., John Blunston & George Maris tould ye Councill that they came to renew their former desires in ye behalfe of ye Assembly, &c.

The Councill at yt time gave them answer, that as Soon as Presidt Lloyd Came from New York, who was Expected ye next week, they would give them an answer.

The Councill did now order this answer to be Recorded: That Nich. Moore being at this Time under a Week and Languishing Condition, and not under promising hopes of a Speedy Recovery, so that at present they Cannot give any Certaine or deffinitive answer.

The Petition of Richd Ingelo was Read, Requesting ye Councill yt ye Tenn pounds allowed him out of Each County for his service don ye Contrey, they would be pleased to order might be forthwith payd.

Order yt Each County pay him ye next month, without further delay, and yt he address himselfe to ye members for Each County for ye Performance of ye same, provided that he bring in ye minutes of ye Councill, ffairly Drawn out.

The Petition of James Sanderling & Neels Lawson, wch was Read ye 29th 5th month last, was now Read againe, Complayning that they Could not have their Lands Resurveyed in ye Towneship of Chester, according to an Order from ye Govr.

The Petitioners and Charles Ashcome, being Deliberately heard before ye Councill, the board Generally Concluded yt ye Omition of ye Deputy Surveyor was not justifiable.

And ye Petitioners further Complayning of wrong & Injustice don to them, as being two of ye six Claymers of their allottment in Chester, Alias Upland Township, by Charles Ashcome, ye Deputy Surveyr, Surveying of Land Contrary to Warrt, the first for Charles Pickerin, in Right of Eustas Anderson, near ye supposed bound of Upland, & a second Warrant for Charles Pickerin, for part of his purchase, wch being from ye Surveyr Genall, only to be Executed upon land as neare as Could be to Upland, & not in ye township of Upland, and therfore the Councill unanimously Conclude that Charles Ashcom's serving of these Warrants was Irregular, and whatsoever was done hereupon, Wee Cannot Conceive Valid.

The Petition of Mary Mason, Widdow, was Read; Requesting ye Councill to Confirme ye Sale of Lotts and Lands sold by ye said Widdow, by ye Govrs Verball order, to pay her Desceased husband's Debts, and for subsistence of herselfe and Children.

James Harrison being present & attesting ye truth of ye Order, and she declaring yt ye Land sould was ye Citty Lotts, and ye Liberty Land, and but two hundred Acres out of one thousand, and not ye Land yt was Improved; ye Councill ordered a Confirmation.

The Councill adjourned till six to morrow morning.

At a Meeting of the Councill in ye Councill Room In Philadelphia ye 17th of ye 7th Mo., 1685.

PRESENT:

THOMAS LLOYD, Presidt.

Tho: Holmes, Wm. frampton, Phin: Pemberton,
Jno. Symcock, Wm. Wood, Wm. Markham, Secre.
Chr. Taylor,

Ordered yt a Proclamation be Drawn and Published forthwith, to reinforce ye Law made at Upland prohibiting ye sale of Rum, brandy, & other strong Liquors to ye Indians, under ye penalty therein Expressed, and yt all Magistrates take notice thereof, and put the same in Execution.

Upon ye Reading ye Petition of Philip Thleman against Tho: Master, for his not performing his Contract in building a house for ye sd Phi. Thleman,

Ordered yt both parties be heard before ye Councill.

Complaint being made by Henry Lewis, John Bevan and others, in ye behalfe of ye Welch friends, that their Lines runn out Regularly, according to ye Govrs Warrt, were notwithstanding, by Charles Ashcome, Deputy Surveyr of Chester County, his undue Execution, of severall Later Warrants, prevented from ye quiet Enjoymt of yt tract that was legally laid out for them.

The Board, upon ye hearing of ye same, ordered yt Charles Ashcome be required to prepare and bring in to ye Councill a Draught by a scale of a 160 perches in an Inch, for all ye Lands Surveyed and Laid out by him Westwardly of ye N. N. W. line, runn By Ralph ffretwell and himselfe, and to attend the Councill & Comissrs with it ye next Third day, by ye 9th hour in ye forenoone, for ye Speedy Composing ye Differences & ascertaining ye lines between ye Chester ffriends and others, and ye Welch friends, & in the meantime to Survey no more Land until further Ordr.

The Councill adjourned till further Order.

At a Meeting of the Council in The Councill Roome In Philadelphia y^{e} 22th 7th Mo. 1685.

PRESENT:

THOMAS LLOYD, Presid^{t}.
Tho: Holmes, Wm. frampton, Wm. Wood,
Chr: Taylor, John Barnes, Wm. Markham, Secre.

In Complyance with an Order of Councill, Dated y^{e} 17th Ins^{t}., Charles Ashcome appeared and brought a Draught of y^{e} Settlement upon y^{e} West side of y^{e} line Runn out by Ralph ffretwell & himselfe: y^{e} Councill upon perusall and observation of y^{e} same, and Comparing the lines thereof with a Draught made up by y^{e} same Scale by David Powell, of y^{e} Tract surveyed by him in behalfe of y^{e} Welch friends, have recommended y^{e} adjusting of y^{e} Disputed bounds, and accomodating the Differences thence ariseing & further likely to Ensue, unto y^{e} Councill and Comiss^{rs} Joyntly, at their next sitting.

Thomas Holmes acquainting y^{e} Councill y^{t} not withstanding the Gov^{rs} Express Orders to Charles Ashcome upon his going for England, under his hand, and by his Letter since, of his Complying with y^{e} Gover^{rs} Determination of y^{e} Differences between them, & that Charles Ashcome was to Continue in his place, under Tho. Holmes, for so he was and so he must be, (were y^{e} Gov^{rs} words,) in Case he will behave himselfe, and did make Exact Returns, & pay to y^{e} Survey^{r} Genall share of ffees. The Councill proposing these termes to Charles Ashcome, and he not Complying to y^{e} satisfaction of y^{e} Councill, they have agreed to Continue their Order to forbid Charles Ashcome to Survey any more land in y^{e} County of Chester, till he submitt to y^{e} Gov^{rs} Instructions, or be Impowred by the Councill and Comiss^{rs} to proceed further.

Phil. Thleman's Petition against Tho. Masters was Read.

Ordered y^{t} Tho. Masters be sent to to attend y^{e} Councill in y^{e} afternoone.

Wheras, James Harrison, James Claypoole & Arthur Cook, were nominated by y^{e} Councill y^{e} 14th Ins^{t}, to be Prov^{ll} Judges, & orders given to prepare a Comission to Authorize them to act thereby on y^{e} 24th Ins^{t}, and y^{e} 24th of y^{e} next second month, but James Harrison, & Arth. Cook being informed thereof, Desired Ernestly to be Excused therein, and Declared their utter Indisposedness thereunto; and James Claypoole being prevented by great Illness from serving therein, y^{e} Councill, upon further Consideration have, in Order to answer y^{e} due Expectation of such persons who are Concerned in appeals, Unanimously agreed to Shew their Readiness & Willingness in Receiving such appeales w^{ch} are to be brought in to y^{e} Secretary's Office, & to give their further attendance in Councill to Deside Differences w^{ch} are to be Determined y^{e} 24th Ins^{t}, being y^{e} Day the Prov^{ll} Court was appoynted to Sitt.

The Councill adjourned till 3 in y^{e} afternoone.

POST MERIDIEM.

The same Persons Present.

John Rambo, ye son of Peter Rambo, being accused of fornication before the Councill, was bound over to ye next County Court at Philadelphia, his father, Peter Rambo, and his Brother, Gunner Rambo, he produced for Security, wch was accepted.

Peter Rambo ye Elder, and Gunner Rambo, Joyntly and Severally Enters into recognizance of five hundred pounds, Currant Money of this Province, to ye Proprietor and Govr, that Jno. Rambo shall personaly appear at ye next County Court to be held at Philadelphia, to answer an Indictmt against him for fornication and other misdemeanors, and he not to Depart from ye Court without being acquitted, or leave from ye bench, otherwise to forfeitt his baile.

Information being Given to ye Councill by Capt. Cock, of ye Indians' willingness to sell all their right & Claime to the Land between Upland & Apoaquinamy, as farr backward as they have any Claime thereunto, and that they proposed a meeting at Widdow Scalcop's on ye 29th Inst, in order to treat about ye same: The Councill thought fit to order Capt. Tho. Holmes, John Symcock, & ye Secretary, or any two of them, to be at ye place aforesd, wth full power to treat and Compleat ye purchase wth them, and to Call to their assistance what members of ye Councill can Conveniently be there

The Councill adjourned till 7 to-morrow morning.

At a Meeting of the Councill in ye Councill Roome at Philadelphia ye 23th 7th Mo., 1685.

PRESENT:

THOMAS LLOYD, Presidt.

Capt. Tho. Holmes,	Wm. frampton,	Wm. Markham, Secre.
Chr. Taylor,	Jno. Barnes,	

Ordered that a Comission be drawn forthwith for James Bradshaw, to be Chief Surveyr & Chief Register of ye County of New Castle, to be in force till ye Govrs pleasure be further knowne.

The Petition of Henry Reynolds against Tho. Usher, Justice of ye Peace for ye County of Chester, Complayning that ye sd Tho. Usher had Imprisoned him by his Warrt to ye Sherriff only upon ye bare word of his accuser.

Ordered yt a Coppy of ye Petition be sent to Tho. Vsher, and that he make Speedy answer to it.

Ordered yt Notice be given by writing, sett up at ye Gate, That the Councill will sitt to-morrow in ye forenoon by ye 9th hour, to Receive Complaints and Grievances.

The Councill adjourned till to-morrow, Eight in ye forenoone.

At a Meeting of the Councill in y^{e} Councill Roome at Philadelphia y^{e} 24th 7th Mo, 1685.

PRESENT:

THOMAS LLOYD, Presid^{t}.

Capt. Tho. Holmes, Wm. frampton, Wm. Markham, Secre.
Chr: Taylor, Edw^{d} Green,

The Petition of Edw^{d} Evaret was Read, Requesting his money due for wayting on y^{e} Prov^{ll} Judges with his Boat, in the Goeing their Circuite.

Ordered that he bring in his Contract and Certificate relating to it, & then y^{e} Councill will give their Answer.

The Petition of Peter Gronendike was Read, setting forth that wheras severall people, and particularly Wm. Clark, have obtained Judgm^{t} by Petitioning y^{e} County Court of Sussex, against the Estate of Cornelius Verhoof, Deceased, without Summonsing y^{e} Petitioner, who is Executor to y^{e} said Verhoof, and have served Execution therupon, notwithstanding y^{e} Petitioner did Publish some time before, y^{t} if any person had any accounts against y^{e} Estate of Cornelius Verhoof, Deceased, they should bring it in to y^{e} Petitioner, and that he would Endeavor to make satisfaction. The Petitioner beggs y^{e} Councill for Redress against such Illegall proceedings.

The Councill Considering y^{e} Complaint, doe Judg y^{e} Proceedings a grievance, and not Justifiable by our Laws, though it hath been y^{e} practice of y^{e} Lower Counties to grant Judgm^{t} against y^{e} Estates of Deceased persons without precedent Summons, only the partys Petitioning the Court and proving their Debt was sufficient.

Information being given to this board y^{t} Tobiah Leach tould an Indian Woman that y^{e} English would sell them no more powder nor shott, but did intend to Cutt them all off, The Board Ordered that y^{e} Secretary send a summons to y^{e} s^{d} Tobias Leech to appeare forthwith before them, to answer to the Information.

Phil. Thlemman put in his apeale (from y^{e} County Court to y^{e} Prov^{ll} Court) to y^{e} Councill.

Ordered that a Summons be sent from y^{e} Secre. To Tho. Masters, to attend the Councill in y^{e} Afternoon, to answer to y^{e} appeale.

The Councill adjourned till 3 in y^{e} afternoon.

POST MERIDIEM.

PRESENT:

THOMAS LLOYD, Presid^{t}.

Capt. Tho. Holmes, Wm. frampton, Wm. Clark,
Chr: Taylor, Edw^{d} Green, Wm. Markham, Secre.

A letter was read from Wm. Darvall, Directed to y^{e} Presid^{t} and Councill. Ordered to be read againe to-morrow, and then to be Considered off.

The Councill adjourned till To-morrow morning.

At a Councill in ye Councill Roome in Philadelphia ye 25th 7th Mo., 1685.

PRESENT:

THOMAS LLOYD, Presidt.

Chris. Taylor,
Wm. Clark,
Wm. Wood,
Edwd Green,
Wm. Markham, Secre.

Ordered that Patrick Robinson be writt to by ye Secretary, to bring in, or transferr to ye Secretary's Office forthwith, what appeales or other writings he hath, wch was to be Determined before ye Provll Judges at a Court to begin ye 24 Inst at Philadelphia.

Patrick Robinson appeared, and gave an accot of what appeales he had Delivered to ye parties Concerned.

Tobias Leech Appeared, in Obedience to a Summons sent him from this board ye 24th Inst, and giving a Credible relation of his Clearness of what was alledged against him, was Dismissed untill further Order.

The Councill adjourned till 3 in ye Afternoone.

POST MERIDIEM.

PRESENT:

THOMAS LLOYD, Presidt.

Chris. Taylor,
Wm. Clark,
Wm. frampton,
Wm. Wood,
Edwd Green,
Wm. Markham, Secre.

The Letter from Wm. Darvall yt was read Yesterday, wch had no date, was againe read, adviseing ye Councill that one Jno. Curtis, a Justice of ye Peace for Kent County, was accused by John Brinkloe of High Treason, and yt ye Witnesses were Examined before five Justices of ye Peace, & yt Curtis upon ye Examination, was Comitted.

Wm. Berry, one of ye Justices of Kent County, & George Martin, High Sheriff of ye said County, being in towne, were sent for to ye Councill: the Councill asked them if they knew any thing of Jno. Curtis being accused of Treason, tould ye board they were at ye Examination: The Councill desired they would give under their hand what they Could remember of ye Examination; The wch they did.

Ordered that a Warrt be sent to ye Justices of Kent County, for ye Security of Curtis, and sending ye Examinations with all speed to ye Councill.

Henry Reynolds being bound at ye last Provll Circular Court held at Chester, in four hundred pounds penalty, to make his personall appearance before ye next Provll Circular Court held at Chester, if any be, or at next Provll fixt Court at Philadelphia, to answer to an Indictmt to be Exhibited against him By Wm. Rawson, for Wounding, beating and Killing of Mary King, his late servt maid, as appeared before ye Councill by a Coppy of ye Records from ye aforesaid Court, The foresaid Henry Reynolds made his personall appearance before y^e^ Presid^t^ & Councill, in order to discharge his aforesaid obligation, where no person prosecuted, Petitioned, or brought any Complaint against him.

The Councill adjourned till To-morrow Morning.

At a Meeting of y^e^ Councill in the Councill Room In Philadelphia y^e^ 26^th^ 7^th^ Mo., 1685.

PRESENT:

THOMAS LLOYD, Presid^t^.

Chr. Taylor,	Wm. frampton,	Edw^d^ Green,
Wm. Clark,	Wm. Wood,	Wm. Markham, Secre.

Vpon Information giving the Councill that a Woman in Philadelphia this morning, Came by an untimely Death, & that Griffith Owen, y^e^ Coroner, was Incapable by sickness to Officiate in his place, the Councill ordered a Comission for Henry Lewis to be Coroner untill further Order.

The Councill Adjourned till 3 in y^e^ affternoon.

POST MERIDIEM.

PRESENT:

THOMAS LLOYD, Presid^t^.

Chris: Taylor,	Wm. Clark.	Edw^d^ Green,
Capt. Tho: Holmes,	Wm. frampton,	Wm. Markham, Secre.

The Petition of Wm. Berry and George Martin, in y^e^ behalfe of themselves & those Justices of Kent County that Subscribed a request to y^e^ Councill, was read, and also y^e^ Request Requesting that y^e^ Councill would be pleased to Continue Wm. Clark a Justice amongst them, his Comission from y^e^ Gov^r^ to be Justice in Generall being Expired.

The Councill answered they would Consider of it.

The Councill adjourned till y^e^ 28^th^ Ins^t^, seaven in y^e^ Morning.

At a Councill in y^e^ Councill Roome in Philadelphia The 28^th^ 7^th^ Mo., 1685.

PRESENT:

THOMAS LLOYD, Presid^t^.

Capt. Tho. Holmes,	Edw^d^ Green,	Wm. frampton,
Chr. Taylor,	Wm. Clark,	Wm. Markham, Secre.

The Councill Considering y^e^ Request of y^e^ Justices of Kent County that was read the 26^th^ Ins^t^.

Ordered that Wm. Clark's Comission from y^{e} Prop^{or} & Gov^{r}, bearing date y^{e} 5th 6th Mo., 1684, for Justice of y^{e} Peace for this Province and Territories, be subscribed to Continue for one whole year longer, or till further order, and to Sett y^{e} Seale of y^{e} Province to it.

James Maxfield Requested y^{e} Councill that they would grant him a Lycense to Keep an ordinary in Kent County.

Ordered him One.

John Brinkloe of y^{e} same County, requested y^{e} like, and was granted.

Phillip Russell had granted y^{e} same to be kept at Lewis.

Wm. Phillips having obteined a Judgm^{t} against Edw^{d} Green in y^{e} County Court of New Castle, held y^{e} 21 & 22^{d} Days of y^{e} Last first month, for twenty-seaven pounds three shillings and Eight pence, being y^{e} supposed Remainder of y^{e} purchase money, is owing to Wm. Phillips for a Plantation sold by him to y^{e} s^{d} Edw^{d} Green, the Defend^{t} appealing to y^{e} Court at Philadelphia. Both parties apearing before y^{e} Presid^{t} and Councill and Submitting y^{e} finall Determination of y^{e} Difference between them to this board, the Councill upon through hearing of both and of what they could allege in their Respective behalfes, Ordered that Edw^{d} Green shall at or before y^{e} 24th of y^{e} next tenth month, make Certaine pay of y^{e} Sum of twenty-two pounds, tenn Shillings, Current money of this Province, unto Wm. Phillips, and that upon such paym^{t} as before, The s^{d} Phillips shall make a sufficient Conveyance of y^{e} Premises to Edw^{d} Green, according to Law, and that the County Court Charges, & y^{e} Charges of this Board, shall be boare Equally by y^{e} said parties, and upon non-Complyance wit this order, Execution to be Issued forth accordingly.

The matter In Difference between Peter Gronendicke, Plan^{t}, & Allex. Humpheris, Defen^{t}, upon an appeale from y^{e} Court of y^{e} County of Kent, held y^{e} 11th 12th & 13th days of y^{e} first month, 1683-4, to y^{e} Gov^{r} & Councill Being heard before this board, and thoroughly Debated, both parties Present, Concluded that y^{e} Plantive in y^{e} appeale, has paid y^{e} 6000 lb. of Tobacco in Difference unto francis Whitwell, by order of y^{e} Deffend^{t}. This board doth therfore order that y^{e} Plantif according to his Express Covenants in his bond upon his appeale, pay all y^{e} Charges at this board, and all other Charges to be payd by y^{e} Def^{t}.

Wheras, there was a difference between Griff Jones & Edw^{d} Green, w^{ch} was submitted by them to be heard & Determined at this board, and through y^{e} Indisposition of Griffith Jones he could not appear, it is Referred to y^{e} next sitting of Councill unless Sooner accomodated.

The Councill Adjourned till further Order.

At a Councill in y^{e} Councill Roome in Philadelphia y^{e} 5th 9th Mo., 1685.

PRESENT :

Capt. THOMAS HOLMES, Presid^{t}.

Chr: Taylor, Wm. frampton, Wm. Markham, Secre.
Jno. Symcock, Jno. Barnes,

The Examination of Jno. Curtis, and Information of ye Witnesses taken before ye Justices of Kent County, was sent to the Councill according to an Order bearing date ye 25th 7th Mo., 1685, was Read with a Letter from John Brinkloe, Clark of ye County aforesaid.

Ordered yt a Comission be forthwith made for Wm. Clark and Jno. Cann, to be Speciall Commissrs to Try John Curtis of Kent County, who stands accused of speaking of Dangerous & Treasonable words against ye King.

The Govrs Letter to ye Presidt & Councill, Bearing Date ye 19th 6th Mo., 1685, was Read.

The Petition of ye Justices of ye County of Philadelphia to this board was Read, Intreating they would be pleased to take ye Govrs Letter into their Consideration, wch was directed to ye Justices of Philadelphia.

Ordered that all Lycences for Ordinary Keeping be forthwith Called in.

Ordered yt Publicq Notice be given to all ye families that lives in Caves of Philadelphia to appear before ye Councill ye next sitting.

A Petition from ye County Court of Philadelphia was read, setting forth that severall servants brought from England in ye Last Ship that came hether, that are to serve in this province, and yt ye Master Intends to Carry them to Virginia, wch is Contrary to ye Laws of the Province, Requesting ye Councills Consideration of the same,

Ordered yt ye Messenger give notice to ye Mr of ye Ship to appear before ye Councill to-morrow morning.

James Bradshaw's Comission for Chief Surveyr and Register of ye County of New Castle, wch was ordered ye 23d 7th Mo. last, and bearing ye same date, was this day signed by the Presidt, Capt. Tho. Holmes, with ye Consent of ye Councill. (Tho. Lloyd wch was Presidt at ye time of ye date of ye Comission being at New York.)

The Petition of Joshua Hasting was Read, against Charles Ashcome. Referred to ye next sitting of Councill, and a Sumons to be sent him by ye Secretary to make his appearance.

A Letter from Tho. Usher bearing date ye 4th 8th Mo., 1688*, was read.

Ordered that Tho. Usher and Henry Reynolds have a hearing before ye Councill ye next sitting.

Ordered That Samll Carpenter be desired to be at ye Councill tomorrow morning.

The Councill adjourned till Eight to-morrow morning.

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*Evidently 1685.

At a meeting of the Councill in the Councill Room In Philadelphia ye 6th 9th month, 1685.

PRESENT:

Capt. THOMAS HOLMES, Presidt.
Chris. Taylor,
Jno. Symcock,
Wm. frampton,
Jno. Barnes,
Wm. Markham, Secre.

Ordered that James Claypoole, Robt Turner, Samll Carpenter, John Jones, Wm. frampton, Patrick Robinson, John Test, Jno. Songhurst, be writt to, Desireing them to come forthwith to the Councill, they having urgent buisness with them about the Subscriptions.

The Persons above mentioned all Came to ye Councill where they Discoursed about ye Subscriptions. Concluded amongst themselves to meet together in ye afternoon, to Consult about methods how to proceed in order to Discharge their Obligation, and give an accot thereoff at ye next sitting of ye Councill.

James Skinner, Mr of ye Pink Rebeca that was yesterday sent to to come before ye Councill this morning, Came with the Indentures of ye Servants mentioned in ye County Courts.

Petition Read yesterday, they Rann to serve James Skinner from ye Day of ye Date untill their first arrivall in Virginia, or any other part of America, and after, for and during the Terme of four years.

Ordered that ye Secretary give notice to Wm. Clark and John Cann, that they are appointed Comissrs for ye Tryall of John Curtis, that they may prepare themselves accordingly.

Ordered that ye Secretary give notice to ye Sherriff of Kent County to prepare ye County for ye Tryall of John Curtis on ye 24th Inst, by Comissrs appoynted for that purpose.

Ordered a Generall Comission of the peace be Drawn for ye County of Philadelphia, and to put in these persons following, Vizt: James Claypoole, Wm. frampton, Hump. Murrey, Wm. Salway, John Revan, Lacy Cock, Wm. Wardner, Senr., Robt Turner, Jno. Moon.

The Councill Adjourned till ye 16th Inst.

At a Councill held at ye Councill Room in Philadelphia ye 16th 9th Mo., 1685.

PRESENT:

THOMAS LLOYD, Presidt.
Capt. Tho. Holmes,
Chr. Taylor,
Wm. frampton,
John Symcock,
Jno. Barnes,
John Cann,
Wm. Markham, Secre.

Ordered that a Comission be forthwith made, Impowring Robt Hall to be Coroner for ye County of Bucks.

The Complaint of ye friends, Inhabitants of Concord and Hertford, against the Indians, for y^e Rapine and Destructions of their hoggs was Read.

Ordered that y^e Respective Indian Kings be sent for to y^e Councill with all speed, to answer their Complaint.

The Inhabitants of the Welch Tract Complaines of the same, by an Endorsem^t on y^e aforementioned Complaint.

The Councill adjourned till 4 in y^e afternoone.

POST MERIDIEM.

The Councill mett and adjourned till Seaven to-morrow morning.

At a Meeting of the Councill in y^e Councill Room In Philadelphia y^e 17th 9th month, 1685.

PRESENT:

THOMAS LLOYD, Presid^t.

Capt. Tho. Holmes, John Symcock, John Cann,
Chr. Taylor, Wm. frampton, Wm. Markham, Secre.
Jno. Barnes,

The Petition of Joshua Hastings against Charles Ashcome, that had been Read y^e 5th Inst^t, was Ordered to be Read againe, to w^{ch} Charles Ashcome appeared, according to a summons dated y^e 6th Inst^t; it was Concluded no proper place to End their Differences it being matter of Law.

The Petition of Tho. Bud was Read, Requesting a Speciall Court to End a Difference between Phill. Thlenman & himself.

The Councill sent for Phill. Thlenman, and advised them both to goe together and try if they Could friendly End it between themselves, y^e w^{ch} they did.

The undertakers of y^e Subscription Came to y^e Councill according to their promise y^e Sixth Inst^t, and Presented their Report, with a list of y^e Subscribers and what subscribed, y^e whole amounting to 201, 19, 2, to w^{ch} Chris. Taylor at y^e board subscribed 6, 00, 00. The Councill Comended their Deligence, and promised them their furtherance and Assistance therein.

The Petition of Sam^{ll} Carpenter was Read, Requesting a Speciall Court to try his Servant that Stands accused of fellony.

The Councill adjourned till 5 in y^e afternoone.

POST MERIDIEM.

PRESENT:

THOMAS LLOYD, Presid^t.

Capt. Tho. Holmes, Jno. Cann, Jno. Barnes,
Wm. frampton, Pet^r Alrichs, Wm. Markham, Secre.
Chr. Taylor,

The Case sett forth in Samll Carpenter's Petition being Considered off, is Referred to ye Due Course of Law, according to his Commitment.

The Govrs Letter to ye Magistrates of Philadelphia being Read, bearing date ye 26th 5th Mo., 1685, by Request of their Petition, Read ye 5th Instt, with ye Letter aforesd, and publiq notice being then given to all ye familys living in Caves to appeare before the Councill at their next sitting, but none obeying ye said order; It is now further Ordered that notice be againe Published that the Councill will put ye Govrs Order relating to ye Caves in Execution in one month's Time.

Ordered yt a Comission be forthwith drawne to authorize John White to be Atturney Gnall for ye Prosecuting of Jno Curtis of Kent County, who Stands accused of Speaking of Dangerous and Treasonable words against ye King.

John Cann advising with ye Councill that were as he was Impowred by this board to Officiate as Register of ye County of New Castle, in ye Vacantcy of a Comission, Desire to know whether he may Deliver up the originall papers belonging to yt Office to ye person Comissionated, with all other things relating to it.

Their advice was that upon his Delivery of what Relates to ye Register's Office to James Bradshaw, ye now Register, he take his Receipt, wch shall be allowed as a sufficient discharge to him.

The Councill adjourned till further Order.

At a Meeting of the Councill in ye Councill Room In Philadelphia ye 1o 10th month, 1685.

PRESENT:

THOMAS LLOYD, Presidt.

Capt. Tho: Holmes, John Barnes, Wm. Markham, Secre.
Chris: Taylor,

A Letter from John Otter to ye Presidt, bearing date ye 26th 9th Mo. last, was Read, Requesting that a Speciall Comission be granted for ye Tryall of David Davis the next Court, who is a Prisoner in ye County of Bucks, on suspition of killing his servant.

The Councill having Considered the same, and to ye End that Justice might be speedly dispatched, and ye Matter being approved of, they unanimously agreed that a Comission be Expeditiously prepared for ye authorising & Impowring of James Harrison, Arthur Cook, Tho. Janney, Wm. Yardley, Wm. Biles, to be special Comissrs to hear and Determine all heinous and Enormous Crimes that shall be brought before them in ye County of Bucks, in a Court there to begin on ye 10th Instt, by them to be held.

The Secretary Reporting to ye Councill how yt ye Grand Jury for ye County of Kent Returned by vertue of a Comission directed Specially to Wm. Clark and Jno. Cann, for the Enquiring, hearing and

Determining of an accusation of Treasonable words uttered by Jno. Curtis of ye said County, against ye King, brought an Ignoramus upon the bill of Indictment Preffered against him; and further, being informed that the said John Curtis was Discharged without good Security given by him for ye Peace towards ye King, and good behaviour towards all ye King's Liege people.

Ordered that Instructions be speedyly sent hence, Directed to Wm. Dervall, Jno. Briggs & Tho. Willson, or any Two of them, whereoff Wm. Dervall to be One, to send for ye sd John Curtis before them, and to Receive of him a Recognizance to ye King in ye sum of Two hundred pounds, with two sufficient Suretys, Each in one hundred pounds, Joyntly and severally, for his good abearing towards the King and all his Leige people for ye Space of twelve months, and upon his Refusall, to Comit him to Prison.

Ordered that a New Comission be sent downe to ye County of Kent, & yt Jno. Curtis be left out of it.

The Councill adjourned till further Order.

At a Meeting of the Councill in the Councill Roome In Philadelphia ye 9th 11th Mo., 1689*.

PRESENT:

Capt. THOMAS HOLMES, Presidt.

Chris. Taylor, Wm. Southersby, Wm. Markham, Secre.
Wm. frampton,

The Secretary Reporting to ye Councill that in ye Chronologie of ye almanack sett forth by Samll Atkins of Philadelphia, & Printed by Wm. Bradford, of ye same place, there was these words, (the begining of Governmt here by ye Lord Penn,) the Councill Sent for Samll Atkins, & ordered him to blott out ye words Lord Penn; & likewise for Wm. Bradford, ye Printer, and gave him Charge not to print any thing but what shall have Lycence from ye Councill.

Information being given the Councill by Wm. Southersby and Wm. frampton, that severall persons appoynted Justices in ye Comission for Kent County, Dated ye 10th 10th Mo., Last, will not Officiate, and others therin mentioned will but seldome be there, to ye hazard of having not a Sufficient number to Keep Court;

Ordered that a New Comission be Drawn against ye 15th Instt, Inserting Wm. Southersby, Wm. frampton, Wm. Berry, Jno. Briggs, Wm. Wimsmore, Tho. Hesherd, Mich. Wotton, Jno. Walker, Tho. Willson.

Ordered yt the Secre. give notice to all persons selling strong liquor by Retaile in Philadelphia, bring their Lycences to ye Councill ye 15th Instt, after wch time they are to be no longer in force, in order to have them Renewed, if thought fitt, & all persons yt are desirous to have Lycence to Keep Ordinarys, may make their application to ye Councill ye same time.

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*1685.

The minutes of y^e Councill of y^e 1° 10th Mo., was Read, with y^e Instruction made thereupon, w^{ch} was presented by y^e Secretary to y^e Councill for signing. But the Councill Refused, in reguard it was passed when Presid^t Lloyd Satt Presid^t, and y^t they knew not what Reasons he had to refuse signing it.

Ordered that Notice be given to as many of y^e Councill as Possible, that they meet y^e next Sixth day, it being y^e 15th Inst^t.

Ordered y^t a Warr^t be made for John Hill to be high Sheriff of y^e County of Sussex for one whole year, or till further Order.

Ordered that Symon Irons have a Warr^t to be Ranger for y^e County of Kent, to be in force for one whole year, or till further Order.

Ordered y^t a Warr^t be made for Jno. Barnes to be Ranger for y^e County of Philadelphia, to be in force for one whole year, or till further Order.

Ordered y^t if Jno. Rhodes have not a Warr^t to be Ranger for y^e County of Sussex, that there be One made for Henry Bowman.

The Councill adjourned till y^e 15th Inst^t.

At a meeting of y^e Councill in y^e Councill Room in Philadelphia y^e 15th day of y^e 11th Mo., 1685.

PRESENT:

Capt. THO. HOLMES, Presid^t.

Chri: Taylor, Wm. Southersby, Wm. Markham, Secre.
Wm. frampton,

The Comissions that was ordered to be Drawn at y^e last sitting of Councill, was this day Signed by y^e Presid^t, Viz^t:

A Comission for the Justices of Kent County.

A Comission for Jno. Hill to be High Sheriff of y^e County of Sussex.

A Comission for Symon Irons to be Cheiff Ranger of y^e County of Kent.

John Barnes refuseing y^e Warr^t for Renger of y^e County of Philadelphia, y^e Councill Ordered Wm. Markham in his Roome.

John Roads not being found upon Record to have had a Warrant for Ranger for Sussex County, The Comission was signed for Henry Bowman.

John Persons, Tho. Persons, and Tho. Dikenson, that were Witnesses to a letter of Attorney bearing date y^e 26th 7th Mo. Last, Impowring Andrew Robinson of West Jersie, and Wm. frampton of Philadelphia, Joyntly and Severally, from James Wallis, Charles Jones, ju^r., Rich. Crossly, Dan^{ll} Guillim, Tho. Taylor, (all of Bristoll,) were attested to y^e truth of y^e same; y^e Letter of Atturney was Endorsed and sealed with y^e Province Seale, vid Book Ent.

According to y^e Order sett forth y^e last sitting of Councill, that Ordinary Keepers within Philadelphia should bring in their Lycences on this day, there brought in Tho. Hotton, Tho. Holina, Ge. Bartholmew, Benja. Chambers, Mary Lichfield, their Lycences and had them Renewed, only Mary Lichfield they granted but for four month, & that was to give her time to gett in her Debts, & provid herselfe some other way of Living.

The Councill adjourned till Eight to-morrow morning.

At a Meeting of ye Councill in the Councill Roome The 16th 11th Mo., 1685.

PRESENT:

Capt. THOMAS HOLMES, Presidt.

Chris: Taylor, Wm. Southersby, Wm. Markham, Secre.
Wm. frampton, Jno. Barnes,

Ordered that ye Summs here Sett Downe be taken as security for Each person against who it stands, for his Keeping good Orders in his Ordinary, with one to be joyned with him, Viz:

Wm. frampton, whose house was Lycenced in ye Stead of Holiman's Lycence.	£50
Tho. Hooton,	50
Benj. Chambers,	50
Alce Guest,	20
Geor. Bartholmew,	20
Mary Lichfield,	20

Ordered yt Joseph Knight have 3 months time given him to sell of the Drink & Provision he has in his house, & afterwards to provide some other way for a Lively hood, & not to Keep Ordinary longer in ye Towne.

Ordered yt a Comission be Drawne to Impowre Samll Hersent to prossecute all offenders against ye penall Laws of this Province, & to search for those yt are on Record Convicted, & prosecute them if yt have not satisfyed ye Law.

The Councill adjourned till ye 1st 12th Mo. Next.

At a Meeting of the Councill in the Councill Room at Philadelphia ye 1st of ye 12th Mo., 1685-6.

PRESENT:

Capt. THOMAS HOLMES, Presidt.

Chis: Taylor, Wm. Southersby, Jno. Barnes,
Wm. frampton, Edwd Green, Wm. Markham, Secre.

The Persons appointed by Comission to be Justices for y^{e} County of Philadelphia, bearing date y^{e} 6th 9th Mo., 1685, being Summonsed by y^{e} Sherriff to appeare before y^{e} Councill to be attested, they not having yett satt by Virtue of this mentioned Comission, There appeared and were attested:

Wm. frampton, Hump. Morry, Lacy Cock,
Jam. Claypoole, Wm. Salway, John Baven.

Rob^{t} Turner appeared but Refused to be attested, desiring to be Excused; he would give his Reasons some other time.

Sam^{ll} Hersent, Atturney for y^{e} County of Philadelphia, was attested in to y^{t} Office.

The Petition of y^{e} Secretarys was Read, Requesting a Comission to seise Ships & Vessells, Either by myselfe or by my Warr^{t}, directed to whom I shall think fitt, It was granted and a Comission signed.

The Petition of Charles Pickerin was Read, about his Land being Survey'd away at Chester. It was Referred to y^{e} Councill.

Wm. frampton's Petition was Read, Requesting y^{e} Removall of y^{e} Caves before his Door, he being about building a Wharfe.

It was Granted, and a fortnight's time given for y^{e} Removall of y^{e} Goods out of y^{e} Caves.

Adjourned till y^{e} 3^{d} Inst^{t} by Eight in y^{e} Morning.

At a Meeting of y^{e} Councill y^{e} 3^{d} of y^{e} 12th Mo., 1685-6.

PRESENT:

Capt. THOMAS HOLMES, Presid^{t}.
Wm. frampton, Wm. Southersby, Wm. Markham, Secre.

Adjourned till further Order.

At a Meeting of the Councill in the Councill Roome in Philadelphia The 30th of y^{e} first month, 1686.

PRESENT:

THOMAS LLOYD, Presid^{t}.
Wm. Frampton, Peter Alrichs, Wm. Markham, Secret^{y}.
Edw^{d} Green, John Roades,

The Returne of y^{e} Member of Councill and Members of Assembly for y^{e} Next Ensuing yeare for y^{e} County of Philadelphia was Read, and were:

FFOR PHILADELPHIA.

ROBERT TURNER, to serve in Councill for y^{e} next three years.

ASSEMBLY:

John Songhurst,
James Claypoole,
Griffith Owen,
Andrew Binkson,
John Goodson,
Tho. Duckett.

The Returne of Sussex County was Read: the Persons Returned were:

WM. CLARK, to serve in Councill for ye Next Three Years.

ASSEMBLY:

Samll Gray,
John Vines,
Hen. Bowman,
Norton Claypoole,
Albert Jacobs,
Hen. Stricher.

The Returne of Kent County was Read. The Persons returned were:

WM. DERVALL, to serve in Councill for ye Next Three Ensuing Years.

ASSEMBLY:

Wm. Berry,
Jno. Brinkloe,
Richd Willson,
Robt Bedwell,
John Walker,
John Bradshaw.

Wm. Clark and Wm. Dervall were attested and subscribed thereunto, & then took their places in ye Councill.

Joshua Barkstead's Letter was Read, bearing date 17th 1° Mo., 85-6, Requesting a Discharge from his Office of Coroner of Sussex County. The Councill Reply'd a Speedy Course should be taken for his Discharge.

Adjourned till Eight to-morrow morning.

At a Meeting of ye Councill in the Councill Room the 31 of ye 1° Mo., 1686.

PRESENT:

THOMAS LLOYD, Presidt.

Wm. Darvall,
Wm. frampton,
Edwd Green,
Tho. Janney,
Ph: Pemberton,
John Roades,
Wm. Southersby,
Nich. Newlin,
Petr Alrichs,
Wm. Clark,
Wm. Markham, Secretary.

The Returne of Chester was Read; the persons Returned were:

JOHN SYMCOCK, to serve in Councill ye 3 Years next Ensuing.

FRANCIS HARRISON, to serve in Councill in Room of Wm. Wood Deceased.

They were both attested and Subscribed thereunto, then took their places in Councill.

ASSEMBLY:

John Blunston,
Robt Wade,
George Maris,
Barth. Coppock,
Caleb Pewsey,
Samll Lewis.

The Returne from Bucks County was Read; ye persons Returned were:

ARTHUR COOK, to serve for a member of Councill for ye three next Ensuing Years.

ASSEMBLY:

Joseph Growden,
Will'm Biles,
Wm. Yardley,
Jno. Otter,
Joshua Hoopes,
Jno. Rowland.

Robert Turner Came in to ye Councill, was attested and Subscribed thereunto, and took his place at ye board.

Arthur Cook Came in, was attested and subscribed, and took his place at ye board.

The Councill appointed a Comittee to Inspect ye Laws & Receive Complaints, and Report ye same to ye Councill, Vizt: being one of Each County:

COMITTEE:

Robt Turner,
John Cann,
Phi. Pemberton,
Wm. frampton,
John Symcock,
Wm. Clark.

The Board understanding by the Respective members of Severall Counties, that severall appeals were granted from their County Court to ye next Provll Court at Philadelphia, Upon Which ye Councill did, according to Law, nominate three persons, Viz: Arth. Cook, Wm. Clark & John Cann, to be Comissionated Provll Judges, and Ordered the Comission to be forthwith Drawn.

Adjourned till three in ye afternoon.

POST MERIDIEM.

PRESENT:

THOMAS LLOYD, Presidt.

Wm. Clark,
Jno. Symcock.
Wm. frampton,
Wm. Darvall,
John Cann,
Robt Turner,
Petr Alrichs,
Edwd Green,
Wm. Southersby,
fran. Harrison,
John Roades,
Tho. Janney,
Nich. Newlin,
Arth. Cook,
Phi. Pemberton,
Wm. Markham, Secre.

The Comission from ye Govr to ye Provll Councill, Impowring them to act in his Stead, with ye Memorendum on the back side therof, was Read.

Samll Hersen, High Sheriff of Philadelphia, was sent for by the Councill to Come forthwith before them, and to bring with him his Comission. He Came, but Excused himselfe for not bringing his Comission, telling the Presidt and Councill yt ye Chest wherein ye Comon was, was Lock'd up in a Roome, and ye man yt had ye Key was out of Towne.

The Councill Ordered him to bring it to-morrow morning.

A Letter from John Brinkloe was Read, Requesting to be Dismissed from his Office as Clark of Kent County.

Ordered y^{t} Wm. Berry be Comissionated in his Roome, and y^{t} his Comission be forthwith Drawne.

Adjourned till Eight to-morrow Morning.

At a Meeting of the Councill in y^{e} Councill Room at Philadelphia y^{e} 1st day of y^{e} 2^{d} Mo., 1686.

PRESENT:

THOMAS LLOYD, President.

Wm. Clark,
Wm. frampton,
John Cann,
Pet^{r} Alrichs,
Jno. Symcock,
Phi. Pemberton,
John Roades,
Tho. Janney,
Rob^{t} Turner,
Wm. Darvall,
Wm. Southersby,
Nich. Newlin,
Arth. Cook,
fran. Harrison,
Edw^{d} Green,
Wm. Markham, Secre.

According to an Order yesterday, Sam^{ll} Hersent Came before y^{e} Councill, and brought with him his Comission for high Sherriff of y^{e} County of Philadelphia, w^{ch} was dated y^{e} 23^{d} of y^{e} 8th month, 1684, and was made to Stand in force for One whole year, or till further Order; he was Ordered to withdraw, and then y^{e} Presid^{t} putt it to y^{e} Vote whether Sam^{ll} Hersent should be authorized to Execute the Office of High Sherriff untill further Order. It was Carried in y^{e} Affirmative; the Order Subscribed on y^{e} Old Comission and y^{e} Seal put to it, y^{e} w^{ch} is Recorded.

The Comission formerly granted to Sam^{ll} Hersent, bearing date y^{e} 15th 11th Mo., 1685-6, Impowring him to be Atturney for y^{e} County of Philadelphia, to prossecute all offenders that break y^{e} penall Statutes of this Province, was Read. It was put to y^{e} Vote whether a Sheriff should be an atturney in the same Court he is Sherriff: was Carried in y^{e} Negative, Nemine Contradicente, with an Order thereunto to be made.

Ordered by the Councill, y^{t} no Clark of any Court within this Province and Territories should be allowed to plead as an atturney any Cause in y^{t} Court he is Clark off.

Itt was put to y^{e} Vote whether there should be an Order of Councill That there should be tenn days Respite between Judgment and Grant of Execution in all Civill Causes between man & man, In all Courts within this Province and Territorys, it was Carried in y^{e} Affirmative. The Makeing the Order was Referred to y^{e} next sitting of Councill.

Adjourned till Seaven to morrow Morning.

At a Meeting of the Councill in The Councill Room the 2d day of ye 2d Mo., 1686.

PRESENT:

THOMAS LLOYD, Presidt.

John Symcock,
Wm. frampton,
Wm. Dervall,
Edwd Greene,
Robt Turner,
John Cann,
Tho: Janney,
Petr Alrichs,
Wm. Southersby,
Nich. Newlin,
fran. Harrison,
Wm. Clark,
Jno. Roades,
Wm. Markham, Secre.

The last minute of yesterday's Councill was Read, about Respiting Execution after Judgmt, and there upon was ordered yt there should be tenn days Respite between Judgmt given in ye County Courts within this Province and Territoryes in all Civill Causes, and signing the Execution thereoff, and that in the Provll Court no Execution shall be served untill Eight days after Judgmt given.

John Roades being Sick, Requested leave of this board to withdraw, wch was granted.

Severall Bills to be past into Law were Read three times this day and passed, And Ordered they should be promulgated, wch were as followeth, Verbatim:

The President and freemen in Provll Councill Mett, at Philadelphia, the thirtyeth day of ye first Month, One Thousand six hundred Eighty Six, have prepared to be published according to Charter, these following Bills, for the notice and Concurrance of the freemen in Assembly to meet the Tenth day of ye next Third month, in ye Towne of Philadelphia, in the forme and Style of Laws, then and there to be Confirmed, amended or rejected, as the Genall Assembly shall in their Wisdome See meet:

1. Be it Enacted by the Authority aforesaid, that these following Chapters and paragraphs be additionall Laws of ye said Province & Territorys thereunto annexed, that is to say; all those Laws made at Chester by ye Assembly, in ye 10th Month, 1682, and at Philadelphia in ye first Month, 1683, and at ye same place in the 8th month, 1683, and at New Castle in ye 3d month, 1684, and at Philadelphia ye 3d Month, 1685, shall, and are hereby Continued to Stand and be in full force and Vertue untill ye End of the first Session of ye next Generall Assembly, and afterwards untill the Publication of Other Laws to be past in the next Genall Assembly, be had, made and done, Except such Laws, or part of Laws, as are by any of ye following Laws Explained, Varied or added unto, and that these Bills Ratisfyed by the Genall Assembly, shall Continue in force untill ye publication of Laws in the next Generall Assembly following.

2. Bee it Enacted by ye Authoritye aforesaid, that Every Offender Legally Convicted and fined for the breach of any penall Law, shall forthwith pay his or their fine or penalty, or give Security Speedily to doe it; but in Case it be not paid, or secured to be payd, as above sayd, that then ye Court or Justice who Imposed the fine, shall forthwith, by Warrant directed to ye Sherriff or Constable of ye respective place, cause the same, with Costs that shall arrise thereupon, to be

Levyed on y^e Goods or Chattells of y^e party offending, by distress and Sale, rendring the overpluss to the party; but if noe goods Can be found to satisfye such fines, that then the Sheriff or Constable shall take and Secure the body of such person til satisfaction be made, and y^t y^e Sherriff or Constable soe Collecting the said fines, shall make returne to the next County Court, or such Officer as the Gov^r and Prov^{ll} Councill shall appoint, to y^e End such fines may be distributed according to Law.

3. Wheras y^e Law for Deffraying the respective Charge of Each County, Authorise y^e County Court to Assess in Open Court y^e necessary Charge of y^e same, It is Enacted by y^e Authority aforesaid, y^t the said Courts are hereby further Impowred to Grant their Warr^t upon non payment for y^e Levying of y^e said Assessments by distress and Sale of Goods, rendring y^e overpluss to the Owners.

4. Wheras al Charters, Gifts, Grants and Conveyances of Land, and all Bills, Bonds, & other writings, w^{ch} by y^e 44 Chapter of Laws made at Upland, were required to be Registred or Inrolled in y^e publiq Inrollem^t Office, according to y^e Mannor, & within y^e time there prescribed, under y^e penalty of being Voyd in Law, yet notwithstanding, were not brought to y^e Inrollem^t Office to be accordingly recorded: Now for y^e satisfaction of severall purchasers of Lands and Inhabitants within this Province and Territories, who, some of them being under a mistake concerning y^e Intent of y^e said Law, Others under Considerable Inumbrances and a sort of Inconsideratness upon their begann Settlement, have neglected and lapsed y^e time, to y^e manifest hazard & making Voyd such respective Instruments or writings.

It is hereby Enacted and Declared, by the president and Prov^{ll} Councill, with y^e freemen, in Assembly Mett, that all such Charters, Gifts, Grants, & Conveyances of Land, and all such Bills, Bonds, Spetialty's tho' they were not Legally Recorded, that they are hereby reputed, and shall be deemed and Stand authentique in Law, and are Indemnified hereby; provided that all such Charters, Gifts, Grants & Conveyances of Land, w^{ch} are or shall be, or Come into this Province & Territories, shall be brought to be registred in the Respective Inrollement Office for this Province & Territories, within six months after y^e five and twentyeth day of y^e next Third Month, otherwise such Charters, Gifts, Grants & Conveyances of Land to be Voyd in Law, any thing in y^e said 44 Chapter of Laws for the making Null such writings & Instruments to y^e Contrary notwithstanding.

5. For the a Voyding of to frequent Clamors and manifest Inconveniences w^{ch} usually attend mercenary pleadings in Civill Causes, It is Enacted by y^e authority aforesaid, that noe persons shall plead in any Civill Causes of another, in any Court whatsoever within this Province and Territories, before he be Solemnlye attested in open Court, that he neither directly nor Indirectly hath in any wise taken or received, or will take or receive to his use or benefit, any reward whatsoever for his soe pleading, under y^e penaltye of 5lb. if the Contrary be made appear.

The President adjourned y^e Councill till further Ord^r.

At a Meeting of ye Councill at ye Councill Roome in Philadelphia ye 3d of ye 2d Mo., 1686.

PRESENT:

THOMAS LLOYD, Presidt.

Jno. Symcock,
Wm. Clark,
John Cann,
fran: Harrison,
Wm. frampton,
Petr Alrichs,
Jno. Roades.
Wm. Darvall,
Tho. Janney.
Wm. Markham, Secre.

Ordered that Comissions be drawne for such Counties whose Comissions of ye Peace are expired or upon Expiring.

Edwd. Green, one of ye Councill, Complayneth against Wm. Phillips for not performing his part according to Order of Councill, ye 28th 7th Mo., 1685, The Councill did this day order that ye Difference Depending between Edwd. Green and Wm. Phillips should be heard before Peter Alrichs and John Cann, and that they should Report the same to the Councill.

Report being made by ye Members of Bucks County, That Richd Ridgway is a fitt person for ye Keeping an Ordinary in yt County, a Lycence was Ordered accordingly.

Ordered yt John Barnes be sent for to appear the next sitting of Councill, and give Reasons for his absence, or suffer fine.

The Presidt. adjourned ye Councill till 9th Instt.

At a Meeting of the Councill in ye Councill Roome The 9th of ye 2d Mo., 1686.

PRESENT:

WM. CLARK, President, Chosen by ye Councill.

Arth. Cook,
Wm. frampton,
Wm. Southersby,
Edwd Green,
John Barnes,
John Cann,
Wm. Markham, Secre.

After ye Members of Councill were Sett, the Comission from ye Govr Impowring them to Choose one from amongst themselves in ye absence of Tho. Lloyd, to be their Presidt, was Read, and they unanimously Chose Wm. Clark.

The Petition of Widdow Hilliard and John Hilliard, Junr, against Griffith Jones, was Read, setting forth yt the sd Griff. Jones having obtained an Execution agt ye Estate of John Hilliard, Deceased, would not Execute ye same on no other part of ye sd John Hilliard Estates then the Plantation on wch shee, ye Widdow of ye sd Hilliard, and her Children lives on, tho' there be enough in other places to satisfie ye Execution of ye Effect of Deceased's Estates.

The Councill Considering the same, was pleased to send for ye Sherriff of Kent County, who was then in Philadelphia, and told him their opinions of ye Matter, wch was, That if there be other Effects to satisfie Griffith Jones's Execution to be found, that it ought not to be served on ye Plantation the Widdow and Children now lives on.

The Petition of Cornelius Bom, Requesting a Lycence for his Keeping an Ordinary; it was Refused.

The Petition of Jacob Vandervere was Read, setting forth ye illegall and un-Christian serving an Execution on his goods, and turning him, his wife and Children out of ye Doors, and not Leaveing them any thing to susteine nature. Ordered yt a Coppy thereoff be sent to ye Sherriff, another to ye Clark of New Castle County, Requiring them to appeare before ye Councill to answere the same ye Tenth day of ye next Third month.

The Petition of John Walker was Read, Requesting a Lycence to keep an Ordinary at New Castle.

Ordered he first make satisfaction to ye Secretary for the abuse he gave at his house at New Castle.

Ordered that ye Comissions following be forth Drawne and signed by ye Now President, Vizt:

Samll Land, High Sherriff of New Castle County.
Robt Robertson, Coroner of New Castle County.
for Joshua Barkstead, Atturney Genall for ye County Sussex.
John Vines, Coroner of ye County of Sussex.
Jno. Bradshall, Atturney Genll for Kent County.

The Petition of John Briggs was Read, Requesting that he might be Dismist from be any longer a Justice.

Ordered that he be left out of ye next Comission.

Adjourned till further Order.

At a Meeting of the Councill in ye Councill Room In Philadelphia ye 14th of ye 2d Mo. 1686.

PRESENT:

WM. CLARK, Presidt, Chosen by ye Councill.

Jno. Symcock,	Edwd Green,	Wm. Markham, Secre.
Arth. Cook,	John Cann,	

There was signed at ye board these Comissions following, Vizt:

Jno. Vines, Coroner of Sussex County.
Samll Land, Sherriff of New Castle County.
Robt Robertson, Coroner New Castle County.
Jno. Bradshaw, attorney for Kent County.
Joshua Barkstead, Atturney for Sussex County.

Ordered that the Comissions following be forthwith made and signed by ye now Presidt:

for Tho. Usher, High Sheriff, Chester Countys.
John Vines, Sussex.
John Martin, Kent.
Saml Land, New Castle. Waterbalys.

The Comissions were signed by Wm. Clark.

Adjourned till further Order.

The 28th of ye 2d Mo., 1686.

The Secretary having Recd a Letter from ye Govr, Directed to ye Presidt and Councill, gave Order to ye Messenger, Thom. Clifford, to give notice to as many Members of the Councill as possible, that they meet at ye Councill Room in Philadelphia ye 30th Instt, by tenn in ye forenoon.

The 30th of ye 2d Mo., 1686.

THERE METT.

Robert Turner,	Edwd. Green,	Wm. Markham, Secre.
Wm. Frampton,	John Barnes,	

The Govrs Letter was Read to them, wch bore Date ye 21, 8 Mo., 1685.

The Secretary Related to them the sad Complaint ye passenger had made that Came in Conoway from England, bound to this place, but forced by ye said Conoway to Bermudas, and from thence Came passengers to Philadelphia in a Sloop named ye Endevour, Belonging to Bermudas, Danll Styles Master, and further desired that they would advise whether the Shipp now Lying in Appogimany Creek, —— Symson Master, be not Loyable to make good ye Dammages Don to ye Inhabitants of this Province by Conoway, they haveing both one owner, ye Secretary supposing an Owner is to make Restitution for all Dammages that shall accrue by ye unlaw actions of ye Master.

But there not being a sufficient number of Members to make a quorum, they Choose no Presidt, but agreed to meet againe ye 3d day of ye 3d month next, and in ye meantime they would Consider of it.

This Evening Came in to Philadelphia Two Members of Councill for ye County of Bucks, Vizt: Arth. Cook & Tho: Janney; they Desired I would send ye messenger to ye members of Councill nigh at hand, to Request they would sitt to morrow in Regard their Buisness would not permitt their Stay in towne so long as ye third Instt, the time before appoynted, the wch was accordingly don.

At a Meeting of the Councill in ye Councill Room in Philadelphia ye 1st day of ye 3d Mo., 1686.

PRESENT:

ARTHUR COOK, Presidt., Chosen by ye Rest.

Robt Turner,
Wm. frampton,
Tho. Janney,
Wm. Southersby,
Wm. Markham, Secre.

The Govrs Letter, Dated 21, 8 Mo., 1685, Directed to ye Presidt & Councill, was Read.

Ordered yt it be Read againe ye Tenth Inst.

The Secre. Reporting the same to ye Councill he yesterday did to ye Members present, Relating to ye Passengers that in Richd Conoway Shipp Received Extreem bad Usage; whereupon it was Ordered that yt Secretary should summons all such to appeare before the Councill that should Come to his knowledg, yt can give any Light in ye Matter on ye tenth Instt.

Robt. Turner & Wm. frampton were attested as Justices of ye Peace for the Towne and County of Philadelphia, they having had a Comission Lately made.

Ordered yt what members of Councill could be gott in or near the Towne of Philadelphia on ye 3d Instt, should attest those Justices that have not been attested since their Last Comissjon, the Sheriff having had Orders to give ye Justices notice thereoff.

Adjourned till further Ordr.

At a Meeting of the Present Member in or about ye Towne, according to an Order of Councill ye 1st Inst, This 3d of ye 3d Mo., 1686.

PRESENT:

Robt. Turner,
Wm. frampton,
Jno. Barnes,
Edwd. Green.

They Chose no President, but they were attested before them according to ye Order afore said, James Claypoole, Wm. Wardner, Wm. Sallaway & John Goodson, & then they broak up.

At a Meeting of the Councill the Tenth of ye Third Month, 1686, in ye Councill Room at Philadelphia.

PRESENT:

THOMAS LLOYD, Presidt.

John Barnes,
Robt. Turner,
Tho. Janney,
Arth. Cook,
fran Harrison,
Nich. Newlin,
John Symcock,
Wm. Southersby,
Wm. Frampton,
Luke Watson,
Jno. Roades,
Wm. Clark,
Wm. Markham, Secre.

Credible Information being given to this board that Luke Watson, one of y^{e} Members thereoff, Lay under suspition of being Carnally Concerned with a Woman Serv^{t} to his Brother in Law, and Likewise y^{t} he stood at this Present, Bound to the Peace for his misdemeanors, they board Ordered him to withdraw, that they might Consult about y^{e} Information; after a Deliberate Consultation, The board ordered Luke Watson to be Called, and told him y^{t} he was accused of having Carnall Knowledge of his Brother in Law's woman Servant, and further, y^{t} he then stood bound to y^{e} peace for Misdemeanors, and therefore, untill he appeared in Law Innocent of those great Offence he was accused off, they Could not admitt him to Sitt amongst them, upon w^{ch} he went forth.

Henry Lewis Request the Councill that they would be pleased to appoynt one in his Roome in y^{e} Office of Coroner for y^{e} County of Philadelphia.

Ordered an other person be speedyly Comissionated in his stead.

Adjourned Till 4 in y^{e} Afternoon.

POST MERIDIAM.

THOMAS LLOYD, Presid^{t}.

Rob^{t} Turner,
Wm. Clark,
Wm. frampton,
Wm. Darvall,
John Barnes,
Tho. Janney,
Arth. Cook,
Nich. Newlin,
Pet^{r} Alrichs,
Phi: Pemberton,
John Roades,
Wm. Southersby,
John Symcock,
fra. Harrison,
Wm. Markham, Secre.

John Otter and Norton Claypoole, Members of y^{e} Assembly, Came with a Message from them to acquaint y^{e} Councill that if they were at Leasure the Assembly would Come and wayt on them.

The Councill answered that it is now late, it being past Six, but by seaven to-morrow morning a Comittee would sitt to Receive from the Assembly, or any of them, their proposalls for y^{e} amendment or alteration of y^{e} promulgated bills according to Charter.

A Comittee was Chosen, Viz^{t}:

Wm. Clark,
Wm. Darvall,
Arth. Cook,
Wm. frampton,
Tho. Janney,
John Symcock.

Adjourned till 9 to-morrow forenoon.

The 11th of the 3^{d} month, 1686.

The Comittee Satt Early this Morning.

PRESENT:

Wm. Clark,
Wm. frampton,
Arth. Cook,
Wm. Darvall,
Jno. Symcock,
Tho: Janney,
Wm. Markham, Secre.

Wm. Clark was Chosen into y^{e} Chear by y^{e} Rest.

[Vid 9th 2d Mo., 86, John White.☜]

Wm Yardley and Wm. Biles Came to y^{e} Comittee from y^{e} Assembly, tould them their Message was the Councill had sent a Warr^{t} to one of their member, and they questioned the Councill's power therin, to w^{ch} y^{e} Comittee made no Reply, nor they insisted further on it, but told y^{e} Comittee that their Chief buisness was that whereas the Assembly Yesterday had sent to y^{e} Councill to Informe them y^{t} it were there Desire to speak with them, y^{e} Councill sent answer that they would appoint a Comittee to Receive from them their proposalls, but the Assembly did not think a Comittee was sufficient to Receive them, and y^{t} they wanted y^{e} promulgated bills. The Comittee made answer they would Informe y^{e} Councill of their message, and then broak up.

At a Meeting of the Councill the 11th of y^{e} 3d month, 1686, In the Councill Roome.

PRESENT:

THOMAS LLOYD, Presid^{t}.

Rob^{t} Turner,
Tho: Janney,
Ph: Pemberton,
Arth. Cook,
fran. Harrison,
John Symcock,
Wm. frampton,
Wm. Darvall,
Jno. Barnes,
Jno. Roades,
Wm. Clark,
Wm. Southersby,
John Cann,
Pet^{r} Alrichs,
Wm. Markham, Secre.

Wm. Clark Reported to y^{e} Councill y^{e} Message from the Assembly to y^{e} Comittee.

The Councill Ordered John Symcock and Wm. frampton to goe with y^{e} promulgated bills to y^{e} Assembly.

Wm. frampton having urgent business, had Leave for this day's absence.

A Member of Councill moving that Luke Watson desired to know whether he was Dismissed from giving any further attendance for this Session, y^{e} Councill Debated y^{e} matter againe, and Concluded that this following written should be read unto him; he being Called in, and advised by y^{e} Presid^{t} of y^{e} Councill's Result in their Debate about his misdemeanors.

The Secretary Read what was Concluded on, as followeth, Viz^{t}:

Wheras, Information being given this board that henry Smith of y^{e} County of Sussex, hath attested that he did goe in fear of his life of Luke Watson, one of y^{e} members thereoff, and it not appearing to this board that he is Legally Discharged from y^{e} same, The Councill Doth therefore think fitt that y^{e} said Luke Watson doe forbear to give his attendance at this board untill further Order.

James Claypoole & John Blunston Came from the Assembly; their Message was that it being y^{e} first time they have desired a Conference with y^{e} Councill, therfore they desired y^{e} Councill would appoint a time for it.

The Councill Answered that if the Assembly would adjourne a little they would adjourne to the place they Satt in, (meeting house,) this being not Large enough to Receive so great a number.

John Songhurst & John Goodson was sent from ye Assembly; their Message was to Lett ye Councill know ye Assembly Received the Councill's answer to their last Message kindly, and Desired their meeting together might be an hour hence, that they might have that time to Reffresh themselves, most of them having been there Ever since six in ye Morning.

The Councill Answered it were better to be don Immediately, for if they Sepperated it would be a Longer time before they gott together againe.

The Councill adjourned from this Place to ye Meeting house, in Order to Receive the proposalls of ye Assembly, and for the service of this board.

In the Meeting house, the same Day as before.

PRESENT:

THOMAS LLOYD, Presidt.

Wm. Clark,
Wm. Darvall,
Tho. Janney,
Jno. Barnes,
Robt. Turner,
Arth. Cook,
Wm. Southerby,
Phi. Pemberton,
Jno. Symcock,
John Cann,
fran. Harrison,
Petr Alrichs,
Jno. Roades,
Wm. frampton,
Nich. Newlin,
Wm. Markham, Secre.

The Assembly were Desired to Come in; there was a Long Debate between ye Councill and them about privileges, but nothing Concluded off; ye Presidt ordered ye Secretary to Read 13 parragraph of ye Govrs Charter to ye People.

Adjourned till to morrow morning, or further Order.

POST MERIDIAM.

At the Comittee.

PRESENT:

Wm. Clark,
Jno. Symcock,
Arth. Cook,
Wm. frampton,
Wm. Darvall,
Tho. Janney.

James Claypoole, Norton Claypoole, Wm. Byles, John Blunston Abra. Mann and John Brinkloe, being one Member of Assembly of Each County, were sent from ye Assembly to Request ye alteration of ye Style of ye Bills. (from ye Presidt &c.) The Comittee answered that they did believe ye Councill would Condisent to their Request. The Comitte Rose.

At a Meeting of the Councill in y^{e} Councill Roome in Philadelphia y^{e} 12th day of y^{e} 3^{d} Mo., 1686.

PRESENT:

THOMAS LLOYD, Presid^{t}.

Wm. Clark,
Jno. Barnes,
Wm. Southersby,
Nich. Newlin,
fran. Harrison,
John Cann,
Arth. Cook,
John Symcock,
Phi. Pemberton,
Tho. Janney,
Robt. Turner,
Wm. Darvall,
Wm. frampton,
Wm. Markham, Secre.

Wm. Clark Reported to y^{e} Councill y^{e} Message from y^{e} Assembly to y^{e} Comittee, Requesting y^{e} Alteration of y^{e} Stile of y^{e} bills, to w^{ch} y^{e} Councill agreed.

The Petition of y^{e} french men sent over by Ballases was Read, Complayning ag^{t} Bellases agents for not performing y^{e} Contract between Bellases' & y^{e} frenchmen; it was Ordered y^{t} Arth. Cook, John Symcock, Robt. Turner, Wm. frampton, should Examine and Redress the same with all Expedition.

Adjourned till y^{e} 5th hour in y^{e} afternoon, By y^{e} Presid$^{t's}$ Order.

POST MERIDIAM.

The Committee.

PRESENT:

Wm. Clark,
Wm. frampton,
Wm. Darvall,
Arth. Cook,
John Symcock,
Tho. Janney,
Wm. Markham, Secre.

A Message from y^{e} Assembly came by two persons out of Each County, John White One, Requesting y^{e} alteration of y^{e} first bill, to w^{ch} they gave a note not signed by any, w^{ch} followeth Verbatim, Viz^{t}:

The Assembly desires these three amendments in y^{e} bill No. 1st Viz: after y^{e} word Except these words be added: (Such Laws as have been by former Law Repealed, and y^{t} such Laws shall be continued with y^{e} Variation, as by succeeding Laws have been Varied. 2dly. that the late Laws relating to y^{e} Killing Cow Calves, &c., and y^{e} Law Relateing to pipe Staves, be no longer Continued. 3dly. The Laws to Continue till Twenty Days after y^{e} rising of y^{e} next Gen^{ll} Assembly, & no Longer.)

To w^{ch} y^{e} Comittee answer'd they would Report y^{e} same to y^{e} Councill, and y^{t} they might Expect their answer.

The Comittee Roase and y^{e} Councill Sat.

PRESENT:

THOMAS LLOYD, Presid^{t}.

Wm. Clark,
Wm. frampton,
Wm. Darvall,
Ph. Pemberton,
Wm. Southersby,
Rob^{t} Turner,
Tho. Janney,
Arth. Cook,
Jno. Symcock,
Jno. Cann,
Wm. Markham, Secre.

Wm. Clark Reports to y^e^ Councill y^e^ Message of y^e^ Assembly, Relating to y^e^ alteration of y^e^ first bill; y^e^ Paper they gave was Read, vid: this day's minutes of y^e^ Comittee.

[Vid 9th 2d Mo., 86.]

John White Presented himselfe to y^e^ Councill, told them he was now Ready to answer the Summons they were pleased to send him.

The Councill answer'd they took it Kindly of him, but they would heare it some Convenienter time, and not hinder y^e^ buisness they were now about.

Luke Watson Desired of y^e^ board they would lett him know his accuser, to w^ch^ they making no answer, he Requested y^t^ Henry Bowman might be Called to Declare before y^e^ board what he knew of his not being bound to peace, who was Called and Declared as followeth, Viz^t^: That Luke Watson's Brother-in-Law (one Smith) told him y^t^ the Difference between him & Luke Watson was Ended, & that they were now friends, & that there would be nothing more don in that buisness.

Adjourned till Eight To-morrow morning by y^e^ Presid^ts^ Order.

At a Meeting of the Councill in y^e^ Councill Roome in Philadelphia y^e^ 13 of y^e^ 3d Mo., 1686.

PRESENT:

THOMAS LLOYD, Presid^t^.

Wm. Clark,	Rob^t^ Turner,	John Symcock,
Wm. frampton,	Tho. Janney,	John Cann,
Wm. Darvall,	Jno. Roades,	Pet^r^ Alrichs,
Phin. Pemberton,	Jno. Barnes,	fran. Harrison,
Wm. Southersby,	Arth. Cook,	Wm. Markham, Secre.

The Request of Jno. Smith and Henry Painter, Inhabitants of Southampton Township, was Read, Requesting this board to heare their Complaint ag^t^ y^e^ Indians who had Killed severall of their Swine.

The Councill Called them in, and Ordered them to give their Complaint in Writing to y^e^ Secretary, & mention y^e^ names of y^e^ Indians y^t^ they knew, or did Imagine did y^e^ fact, and then y^e^ Councill would take all possible Care to Redress them by Law; and further, Ordered y^t^ y^e^ Respective Kings might be sent to by some proper Messenger to make satisfaction.

The Request of y^e^ freemen of y^e^ County of New Castle was Read, Requesting a Fare to be kept in y^t^ Towne twice a year.

The Assembly came to y^e^ Councill and presented in writing some alteration to be made in y^e^ bill No. 1, w^ch^ were y^e^ same as offered y^e^ Comittee y^e^ 12th Ins^t^.

Adjourned till six to-morrow morning, or Sooner, if occasion, by y^e^ Presid^ts^ Order.

The Comittee in y^e Evening.

PRESENT:

Arth. Cook,
Jno. Symcock,
Rob^t Turner,
Wm. frampton,
Wm. Markham, Secre.

four Persons, Viz^t: Wm. Byles, Jn^o Goodson, Geo: Maris, & Tho: ———[*], were sent from y^e Assembly with a Message in Writing about the Removall of Patrick Robinson from his places, w^c followeth, Verb.

The Assembly dos Request y^e Presid^t and Prov^{ll} Councill would be pleased to give their Reasons why y^e Request of y^e Late Assembly Concerning y^e Removall of Patrick Robinson from all publick Offices of Trust, was not according to promise, answered.

The Comittee Rose, telling them they would present it to y^e Councill.

At a Meeting of the Councill in y^e Councill Roome at Philadelphia y^e 14th 3^d Mo. 1686.

PRESENT:

THOMAS LLOYD, Presid^t.

Arth. Cook,
Wm. Clark,
Wm. Darvall,
Jno. Barnes,
Jno. Symcock,
Robt. Turner,
Wm. frampton,
fran. Harrison,
Jno. Cann,
Tho. Janney,
Nich. Newlin,
Jno. Roades,
Pet^r Alrichs,
Phin. Pemberton,
Wm. Southersby,
Wm. Markham, Secre.

The Comittee y^t Satt yesterday in y^e Evening, Reported to y^e Councill the Message from y^e Assembly, w^{ch} was in writing and Read, about Patrick Robinson. The Councill Declared it was not Proper nor Seasonable to be answered, nor was it signed by any of y^e Assembly.

John Cann, a member of Councill, had Leave to goe about his urgent occasions untill y^e Eighteenth Inst^t, 10 in y^e forenoon.

Ordered a Lycence be made for Tho: Hallyman to keep Ordinary in Philadelphia.

Ordered a Lycence be made for Wm. Hambleton to keep Ordinary in New Castle.

Ordered a Lycence be made for John Roades to keep ordinary in Sussex County.

Ordered y^t a Paper be drawn and published for y^e better Regulating y^e affair and Keeping y^e peace.

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[*] By reference to the Votes of Assembly Vol. 1st page 38, it appears that the name omitted is that of Tho: Ducket.

The Request of some of the Justices of Chester County against ye Clark of yt Court was Read.

The Councill was pleased to answer that in Regard they had not given any Perticular Charge against him, they Could not answer their Request.

Adjourned till ye 17th Inst, 10 in ye forenoon.

At a Meeting of the Councill in the Councill Room in Philadelphia ye 17th of ye 3d Mo., 1686.

PRESENT:

THOMAS LLOYD, Presidt.

John Symcock,
Tho. Janney,
fran. Harrison,
Jno. Barnes,
Robt. Turner,
Wm. Southersby,
Nich. Newlin.
John Roades,
Phi: Pemberton,
Arth. Cook,
Edwd. Green,
Wm. frampton,
Wm. Markham, Secry.

Ordered yt a Perticular Comission be drawn forthwith, to Constitute Chr: Taylor Justice of ye Peace for ye Towne & County of Philadelphia.

James Atkinson's Complaint against Henry Stretcher and Charles Haines was Read, setting forth there abuse to him in his Doeing his office, Viz: gethering ye Proprietors quitt rents.

Henry Stretcher being a member of Assembly, and now Sitting, ye Councill ordered ye Complaint should be sent to them to peruse.

Adjourned till Six to morrow Morning.

The Comittee Satt before ye Councill in ye Councill Room the 18th 3d Mo., 1686.

PRESENT:

Wm. Clark,
Arth. Cook,
Tho. Janney,
Wm. Darvall,
Jno. Barnes,
Robt. Turner,
Nich. Newlin,
fran. Harrison,
Wm. Markham, Secre.

Wm. Byles and Cornelius Empson Came wth a Message from ye Assembly, wch was to Request a Conferrance between ye Councill & Assembly about ye amendmts of ye first bill; ye Comittee answered yt they would informe ye Councill thereoff, but supposed they would not admitt of any Dispute, in Regarde it was ye last day in wch they were Either to accept or Reject them.

At a Meeting of ye Councill in ye Councill Room In Philadelphia ye 15th of ye 3d Mo., 1686.

PRESENT:

THOMAS LLOYD, Presidt.

John Symcock,
Wm. Clark,
Arth. Cook,
Jno. Roades,
Petr Alrichs,
Wm. Darvall,
Robt Turner,
fran. Harison,
Phi: Pemberton,
Wm. frampton,
Tho: Janney,
John Barnes,
Nich. Newlin,
Wm. Southersby,
Wm. Markham, Secre.

The Comittee Reports to ye Councill ye Message they Received this morning from ye Assembly.

Wherupon ye Councill debated upon ye method of Reading ye bills in order to secure and prevent ye overthrow of ye Laws of this Province, wch in Case more then one bill had been Read and yt of Continuance had been Rejected, would Inevitably have followed.

The Councill seriously weighing & Considering ye great trust wherewith they are in Vested, & unto wch they are Solemly obliged by ye Express provisoes of ye Great Charter of this Province & Territories, by ye Act of Settlement, and by ye Govrs and Propors Comission, granted unto them under ye Great Seale whereby they are Impowred, more Especially as to ye Executive Capacity in Relation to ye Justice, Peace and Security of our present Constitution, and yt nothing be Continuanced nor allowed of that may Interferr, Hazard, or seem to Introduce a Subvertion of this frame of Governmt; and upon ye Debate in Councill Concerning ye Reading ye proposed bills to ye Assembly, it was by ye President putt to ye Membrs of ye board, perticularly whether if ye first bill being a bill of Continuation of ye former Laws, & an Expressive of ye Duration of such bills which are to pass into Laws this Genall Assembly, whether if ye said bill should not pass in ye Assembly, any more bills should be Read by ye Clark of ye Councill unto them, & so ye Assembly, by Refusing ye first & passing two or more other bills, The Inhabitants of this Province should be Stript & Left Destitute of such Laws of whose service they have had good Experience, By ye uncertain compensation of such few ones wose use wee are upon Tryall off, & wch Cannot be supposed of yt Extent to Supply ye Loss of such wch will Inevitably be Discontinued therby.

The Councill Unanimously & Successively gave their Thoughts and Expressed themselves that upon refusall of ye Assembly's passing of ye bill for ye Continuance of former Laws, that it would not be only advisable but Requisite for this juncture & Present time, That ye Provll Clark forbear Reading of ye Promulgated bills in ord to propose them to their assent or Dissent. The Preservation of ye Governmt in ye forme wherein it is at present, being more Expressly our Respective Duties, then Exposing ye same by Dubious and Insecure methods to unavoydable mischeiff.

Wm. Byles & Cornelius Empson Came to acquaint ye Councill yt ye Assembly were Ready to wayte on them in ordr to finish ye Legislation, it being ye Last day.

The Councill answer'd they were ready, and y^e^ Assembly might Come when they please.

The Assembly Came to y^e^ Councill with their Speaker, who in y^e^ behalfe of himselfe and Assembly, Desired y^e^ amendments of y^e^ first bill as they had before given in in writing, to w^ch^ the Council not Consenting, there arose a Long Debate about y^e^ Privileges of y^e^ Assembly, w^ch^ not being granted by y^e^ Councill, and y^t^ no president should be Left upon Record whereby to prejudice y^e^ Privileges of y^e^ Assembly, The Genall Assembly did Unanimously agree that all things Relating to y^e^ premises should Remaine in y^e^ same State and Condition as they are at this present time, untill y^e^ Gov^r^ shall arrive and y^e^ Contraversie determined before him. Wherupon y^e^ Assembly Took Leave of y^e^ Council and Departed.

The Councill Considering y^e^ Debate they had with y^e^ Assembly, did unanimously agree and Ordered that this following Concurrance should be Entred, (Viz:)

Upon a Conferance had at this board with y^e^ Assembly, more Especially upon some amendments and alteration of them offered to y^e^ first bill for Continuance of former Laws, y^e^ Councill Expressly understanding from some of their Cheifest members that they would not pass y^e^ said bill Unless w^th^ such Exceptions and amendments, w^ch^ if granted, would in our judgments be Insecure & Inconsistent with y^e^ allowed methods in such a Case, and y^e^ present frame of Governm^t^, and lead to y^e^ Introducing an unsafe and hetherto unpractised way in procedure upon Repeales, as first proposing y^e^ same in this time of y^e^ Gena^ll^ Assembly, and so Lapsing or neglecting the previous Notice of y^e^ Legislative Councill.

Upon y^e^ Serious Consideration of y^e^ Premises, it was Deined Expedient by y^e^ Geneall Assembly that y^e^ Reading of the promulgated bills should be Waved for this present Session, Least a misunderstanding, or a greater Inconvenience might thereupon Ensue.

Adjourned till y^e^ Afternoone.

POST MERIDIEM.

PRESENT:

THOMAS LLOYD, Presid^t^.

Arth. Cook,	John Roades,	Robt. Turner,
Wm. frampton,	Wm. Southersby;	Phin. Pemberton,
Wm. Clark,	John Symcock,	fran. Harrison,
Pet^r^ Alrichs,	Wm. Darvall,	Wm. Markham, Secre.
Jno. Barnes,	Nich. Newlin,	

Upon y^e^ Petition of James Sanderling for a Lycence to Keep an Ordinary, it was granted him.

A Petition Relating to highways was Read, upon w^ch^ the Councill agreed y^t^ there should be a Sett time appoynted for y^e^ Councill to Inspect all y^e^ Business relating to y^e^ Highways, and to Order y^t^ y^e^ Roads be Laid out in y^e^ most proper and Convenient Places within this Province.

A Petition being presented against y^e^ abuses of y^e^ Skoolkill ferry, it was Refferred to ye Councill at their sitting for ye Laying out of Roades.

Rochford's Servt. The Petition of Denis Rochford against John Hichman's selling his servant.

The Councill understanding that John Hickman is in Custody & under process in order to his Coming to a Tryall at Law, it is Refferred to ye County Court, before whom it is to be Tryed.

The Assembly being discharge, Henry Stretcher, yt was a member thereoff, was sent for before this board, to answer the Complaint of James Atkinson: the Offence being proved against him to be very gross and notoriously Ill, it was ordered yt it be Refferred to ye Justices of Sussex County, where ye Liveth, that in Casse he give not an acknowledgmt of his great abuse before he goes downe to this board, ye Justices aforesaid are to take sureties of him for his good behaviour.

Ordered that John Barnes, for this afternoon's absence and his former absence, pay to ye Doore Keeper Six Shillings.

Adjourned till further Ordr.

At a Meeting of the Councill in the Councill Roome ye 5th of the 5th Mo. 1686.

PRESENT:

ARTHUR COOKE, Presidt, Chosen by ye Rest of ye Members.
John Symcock, Tho: Janney, Phin. Pemberton,
Wm. frampton, Wm. Southersby, Wm. Markham, Secre.
Robt. Turner,

The Petition of Israell Taylor was Read, Requesting he might be admitted to administer on his father's Estate.

The Councill answered they would admitt of no administration Contrary to ye Intent of ye will, wch they Judged valid.

Ordered that Robt. Turner, Wm. frampton & Wm. Southersby, take ye Charge of ye Office of Register Genll, in as full and ample a manner as Christop. Taylor had in his life time. and ye Laws of this Governmt, and yt they be accoumptable unto this board from time to time, as they shall be Called thereunto, for ye profits that shall or may arrise, and yt a Comission be drawn accordingly, Impowring any one of them as Sufficient to Execute ye said office.

The Petition of James Claypoole was Read, Requesting the place of Register Genll might be Conferred on him.

The Councill answered They thought it not fitt to settle it on any one person, but Leave it to ye Govrs Disposall.

The Petition of Joshua Carpenter was Read, Requesting a Lycence to Keep an Ordinary in his Brother Samll Carpenter's house, on ye Wharfe. Ordered a Lycence for three months.

Ordered that Nathll Sykes have a Lycence to Keep an Ordinary In Philadelphia.

John Symcock Requested a Lycence for Walter forcett to Keep an ordinary in y^e County of Chester, w^{ch} was granted.

Adjourned till Six to-morrow in y^e morning.

At a Meeting of the Councill in the Councill Roome at Philadelphia y^e 6th of y^e 5th Mo., 1686.

PRESENT:

ARTHUR COOK, Presid^t, Chosen, &c.

John Symcock,
Rob^t Turner,
Phi. Pemberton,
Tho. Janney,
Nich. Newlin,
Wm. frampton,
Wm. Southersby,
Wm. Markham, Secre.

The Comission Impowring Rob^t Turner, Wm. frampton & Wm. Southersby to manage y^e Register Gen^{ll} Office of this Province and Territories, new Castle only Excepted, was this day Signed.

Joseph Vaughan & Jno. Saxby, Serv^{ts} to Chris. Taylor, Deceased, were sent for to Come before y^e Councill; they produced their Indentures.

Joseph Vaughan was bound to Edm^d Paine, march^t of London, y^e 9th of Aprill, 1684, to serve 4 years after his arrivall in Maryland. There was Endorsed on y^e Indenture; wee Cast anchor at New Castle in Pinsilvania, Aug^t y^e 6th, 1684.

John Saxby putt himselfe an apprentice to Chris. Taylor, y^e 26th of y^e Eleventh month, 1685, to serve six years.

The Councill takeing into Consideration Methods for y^e Secureing y^e Estate of Chris. Taylor, Deceased, according to y^e true Intent & meaning of his Will, of w^{ch} y^e Gover^r and Ralph frettwell were Execut^{rs}, Thought fitt in their absence to appoynt John Goodson, Tho. Hooton and Tho. fiitchwater, or any two of them, to administer upon y^e Estate of y^e aforesaid Chris. Taylor, Deceased, and to Act and Doe all things therein as an administrator by Law hath power to doe, and to be accountable unto us, or y^e Executors, for the same.

Ordered y^t a Comission of y^e Peace be forthwith Drawn for Kent County.

Ordered a Comission be forthwith Drawn to Impowr Abrah. Whorly, high Sheriff of Bucks County.

Ord^r y^t a new Comission be Drawn for George Martin to be High Sheriff of Kent County, to Continue untill further Order, his old Comission being out of Date.

Adjourned till 5 in y^e afternoone.

POST MERIDIAM.

PRESENT:

ARTHUR COOK, Presid^t, Chosen.

Rob^t Turner,
Wm. frampton,
Nich. Newlin,
Phi. Pemberton,
Wm. Southersby,
Wm. Markham, Secre.

The Comissions for y^e County Court of Kent, for y^e High Sherriff of y^e same, & for high Sheriff of Bucks County, were signed.

Report being made to this board by Rob^t Turner, a member thereoff, that franc. Carnewell, one of y^e Magistrates for y^e County of Sussex, to be a person of Ill fame, The Councill thereupon Ordered that a Warrant be made and sent to y^e County Court of Sussex, to suspend y^e said francis Carnwell untill he appear at y^e Councill table & Cleare himselfe of what is Laid to his Charge, w^{ch} shall be at y^e Councill board Delivered him.

Ordered a Comission be forthwith drawn for Tho. Streton to be Coroner for Kent County.

Adjourned till further Ord^r.

Att a Meeting of the Councill in y^e Councill Room The 7th of y^e 5th Mo., 1686.

PRESENT:

ARTHUR COOK, Presid^t, Chosen.

Rob^t Turner,	Phin. Pemberton,	Wm. Markham, Secre.
Wm. frampton,	Wm. Southersby,	

John Goodson and Tho. Hooten Refusing to take upon them the Charge of y^e administration on y^e Estate of Chris. Taylor, according to y^e minute of Councill Yesterday, The Councill thought fitt to Order that y^e Comiss^{rs} of y^e Registry take Care of y^e Estate aforesaid, and of the Children of Chr: Taylor, in the behalfe of y^e Executors, & to be accountable to them.

Adjourned till further Ord^r.

At a Meeting of the Councill in y^e Councill Roome In Philadelphia y^e 2^d of y^e 6th Mo., 1686.

PRESENT:

THOMAS LLOYD, Presid^t.

Jno. Symcock.	Wm. Southersby,	Wm. Markham, Secre.
Wm. frampton,		

The Presid^t proposing the Expedientcy of Recomending some Capable persons to Sitt Judges in y^e next Prov^{ll} Court, w^{ch} are to sitt y^e 21st of y^e 7th month, at Philadelphia, y^e Presid^t and Present members of Councill thought fitt to Recomand Tho. Holmes, James Harrison and James Claypoole, to y^e approbation of y^e next Compleat Councill, for y^e Comissionating of them or others that they shall think fitt.

Wheras, a Complaint has been made to this board of violence Don by some Indians on Nich. Skull and his family, and forcibly Entring his house & Carrying away his goods; and further Information Given y^{t} y^{e} s^{d} Nich^{o}. Skull hath, Contrary to his Duty and Peace of this Province, sould and trucked to and wth y^{e} Indians severall quantities of Liquors, w^{ch} by Law was Prohibited the selling to them, whereby they were much Disordered, to y^{e} notorious Disturbance of the neighboring Settlements.

The Presid^{t} and Present Members of Councill thought fit to Order that Capt. Tho. Holmes, with y^{e} assistance of Capt. Lace Cock, Zach. Whitpaine, and such others as Capt. Thomas Holmes shall approuve off, forthwith to make Diligent Enquirie into y^{e} truth hereoff, and if it Credibly appears that such Indians were Guilty as Reported, They be Required to make Speedy satisfaction. Wee Referring y^{e} mannor and methods of treating y^{e} Indians Concerned wth y^{e} people they belong to, to y^{e} Conduct and Discression of y^{e} s^{d} Capt. Holme, wth y^{e} Concurrance and approbation of the nominated persons, and in Refferance to y^{e} s^{d} Nich^{o}. Skull, if upon y^{e} Examination of his behaviour and Deportment towards those Indians, it shall appear y^{t} he hath acted Contrary to Law in selling them prohibited Liquors, that Speedy Course be taken to proceed against him accordingly, that he might be an Exemplary Terrour to Such who shall offend in y^{e} like nature.

Adjourned till further Order.

At a meeting of the Councill in the Councill Roome at Philadelphia the 5th of y^{e} 6th Mo., 1686.

PRESENT:

THOMAS LLOYD, Presid^{t}.

John Symcock,
Wm. frampton,
Wm. Clark,
John Barnes,
Wm. Southersby,
Wm. Markham, Secre.

Wm. Clark, a member of this board, informing the Councill y^{t} y^{e} Justice's Comission for y^{e} County of Sussex Expired y^{e} 15th Ins^{t}.

Ordered that one be fortwith Drawne to Comissionate Wm. Clark, Jno. Roads, Tho. Langhorne, Tho. Price, Rob^{t} Clifton, Sam^{ll} Gray & George Young, & y^{e} Comission to Stand in force untill further Order.

David Lloyd Presented his Comission given him by y^{e} Gov^{r}, bearing date y^{e} 24 of y^{e} 2^{d} Mo. Ap^{ll}, 1686, Constituting him atturney Gen^{ll} for this Province and Territorys, To w^{ch} he was attested, Declaring his allegiance to y^{e} King, fidelity to the Gov^{r} & Governm^{t}, and faithfull performance of his Office.

Adjourned till further Order.

POST MERIDIEM.

PRESENT:

THOMAS LLOYD, Presid^{t}.

John Symcock, Edw^{d} Green, Wm. Markham, Secre.
Wm Clark, Wm. Southersby,

A Letter from y^{e} Gov^{r} to the Councill, dated y^{e} 24th of y^{e} 2^{d} Mo., 1686, was Read.

John White Informes this board that y^{e} Marylanders have Lately Reinforced their fort at Christina, and y^{t} they would not suffer him to Cutt hay, but thrittend those he Imployed to doe it wth their gunns presented against them, and y^{t} what hay they had Cutt y^{e} Mary Landers would not suffer them to Carry it away, and if they did Cutt any more y^{e} Marylanders sayd they would throw it in to y^{e} River.

And further Informs y^{t} Maj^{r} English a few Days past came in to y^{e} County of New Castle with about fourty armed horse men; Left them at John Darby's whilst Maj^{r} Inglish and a Marry Land Cap^{t} Came to New Castle, where John White meeting him, made Complaint to him of the abuses don him by y^{e} Mary Landers at y^{e} fort. Maj^{r} English, tould him that if Thou wilt say you Drunken Dogg, ned Inglish lett me Cutt hay, I will give you Leave: Wherupon y^{e} s^{d} John White Requested y^{e} Councill's advice how he should behave himselfe in this affaire. The Councill advised him to use no Violence, but bear with patience, not Doubting but y^{e} King will soon put an End to all their hostile actions against his Collony.

The Petition of John Moon was this day Read, setting forth his Illegall tryall and Execution served on him for a fine for getting his maide with Child, Requesting the board would Order y^{t} his goods Seised on by virtue of the foresaid Execution might be Restored him againe, to w^{ch} y^{e} Councill gave no answer.

The Present Members of Councill added Three more to y^{e} former Three Recomended on y^{e} minute of y^{e} 2^{d} Inst^{t}, the w^{ch} three Last are John Cann, Wm. Clark and Arth. Cook, to the approbation of a Compleat Councill to Elect Three for Judges.

Adjourned till further Order.

At a Meeting of the Councill in the Councill Roome y^{e} 7th of y^{e} 6th month, 1686.

PRESENT:

THOMAS LLOYD, Presid^{t}.

Wm. frampton, Edw^{d} Green, Wm. Markham, Secre.
Wm. Clark, Jno. Barnes,

The Petition of Benj. Chambers was Read, setting forth y^{t} at last County Court held at Philadelphia, Judgm^{t} was obteined by Doct^{r} Moore against y^{e} free Society of Traders of this Province, & y^{t} an appeale was granted unto y^{e} s^{d} Society to y^{e} next Prov^{ll} Court, w^{ch}

appeale Could not be then taken out for want of Sufficient Security according to Law.

Therefore y^{e} s^{d} Benj. Chambers Requested the Presid^{t} & Prov^{ll} Councill y^{t} they would accept of such Lawfull and able Security as Shall be present for y^{e} same.

The Presid^{t} and Councill admitted y^{e} same, and accepted of Benj. Chambers and Griff. Jones, both of Philadelphia, Joyntly and Severally binding themselves in the penall summe of four hundred and six pounds for prosecuting the said appeal, and to answer Costs and Damages according to Law.

Adjourned till y^{e} Second of y^{e} next Month, unless urgent Occasion.

At a Meeting of the Councill in the Councill Roome at Philadelphia the Third of y^{e} Seventh month, 1686.

PRESENT:

JOHN SYMCOCK, Presid^{t}, Chosen by The Rest.

Arth. Cook,
Wm. frampton,
Wm. Southersby,
Phin. Pemberton,
fran. Harrison,
Wm. Markham, Secre.

The Petition of Henry Jones was Read, setting forth y^{e} badness of the way from Moyamensin to Philadelphia. It was Referred to y^{e} County Court, who it's presumed has power to appoynt Roads to Landing places, to Court, & to Markett.

The Petition of James Claypoole, Jno. Goodson & Humph. Murry was Read, Complayning against y^{e} Clark of y^{e} County Court of Philadelphia, Requesting he might be Dismissed of his Imploym^{t} and, y^{t} David Lloyd might be placed therin. The answer was it shall be further Considered off.

The Councill adjourned to Robert Turner's house, he being Sick.

AT ROB'T. TURNER'S HOUSE.

PRESENT:

FRANCIS HARRISON, Presid^{t}, Chosen by y^{e} Rest.

Arth. Cook,
Jno. Symcock,
Robt. Turner,
Wm. frampton,
Wm. Southersby,
Phin. Pemberton,
Wm. Markham, Secre.

The Councill unanimously agreed and appoynted that Arth. Cook, Jno. Symcock & James Harrison, should be Judges for y^{e} Next Prov^{ll} Court y^{t} by Law is appointed to be held at Philadelphia, and Ordered y^{t} a Comission be forthwith drawn, and y^{e} Broad Seale affixed thereunto, To authorise and Impowre them Judges both of Law & Equity accordingly.

The Petition of Dr. Nich. Moore was Read, &c.

Adjourned till further Order.

At a Meeting of the Councill in ye Councill Roome in Philadelphia ye 20th 7th Mo., 1686.

PRESENT:

THOMAS LLOYD, Presidt.

John Symcock,
fran. Harrison,
Arth Cook,
Tho: Janney,
Wm. Southersby,
Nich. Newlin,
John Barnes,
Edwd. Green,
Phin. Pemberton,
Robt. Turner,
Petr Alrichs,
Jno. Cann,
Wm. Markham, Secre.

The Govrs Letter that came by ye way of New York, and Recd by ye Secretary ye 14th Inst., was this day read in Councill. Benjamin Chambers Presidt of ye Society, was Called before the Board, and yt part of ye Govrs Letter yt related to ye Society was read to him.

The Request of francis Danll Pastores was read.

Adjourned for an hour.

POST MERIDIEM.

The same Persons present.

The Comission that was Orded to be Drawne ye 3d Inst, for Constituteing of Judges, was this day read, approved off, and signed by ye Presidt.

A Comission was signed for Wm. Southersby & Barnaby Willcocks to be Justices of The Peace for ye County of Philadel.

A Blanck Comission was signed for Sherriff of Philadelphia County. Wm. Carter proposed if he will accept Thereoff, if not, some other the Councill should appoynt, this Comission to Comence Seaven dayes after ye next County Court of Philadelphia.

Adjourned till 7 To morrow morning.

At a Councill in the Councill Roome in Philadelphia September ye 21, 1686.

PRESENT:

THOMAS LLOYD, Presidt.

John Symcock,
Robt. Turner,
fran. Harrison,
Tho. Janney,
Jno. Barnes,
Wm. Southersby,
Nich. Newlin,
Phin. Pemberton,
Edwd. Green,
Wm. Markham, Secre.

Ordered That Thomas Hooton take into his Custody and Care all ye personall Estate of Christ. Taylor, Deceased, untill administration be granted, or till further Order, and ye persons that have ye Care at present of ye sd Goods or Estate, Deliver them up to ye Care of the said Tho. Hooton accordingly.

Information being given to this board of a Scandalouse paper given by ye Sherriff of ye County of Philadelphia to ye Grand Jury ye Last quarter Sessions, without any name subscribed thereunto, To the Reproachfull Chargeing or accusing of one of ye Magistrates of ye same Court, and understanding that ye same paper was lodged in ye hands of Tho. Hooton, and Considering ye Consequence of such Condemnable proceedings, The Councill Required ye said Thomas Hooton to Deliver ye same to this board, wch was accordingly don.

The Petition of Peter Gronendicke, Executor to Cornelius Verhoof, requesting a rehearing of ye Causes of Symon Paulin and Richard Bundike, &c. and Order was granted thereupon

The humble Lamentation of Jann Van Cullen was Read, setting forth ye abuses of Charles Ashcome. Order yt his Cattle be Returned, and that ye Difference between him and Charles Ashcome be Valued by 4 men, and if they Cannot agree yt it be left to be Desided by ye Govr.

Patrick Robinson was admitted, upon his Submission to Remaine Three Months Longer in his Office of Clark, at wch time he promises to Resigne ye same, with ye Records thereunto belonging, and with his Owne hand Endorsed ye same on his Comission, promising further, in ye meantime to behave himselfe Civily & Respectfully to ye Magistrates, and peaceably to all persons, or for ye first offence Comitted in yt nature, to have his Comission forthwith Cancelled.

Adjourned till ye 25th of ye next month, onless further occasion.

At a Meeting of ye Councill in ye Councill Roome in Philadelphia ye 24th 7 bre., 1686.

PRESENT:

THOMAS LLOYD, Presidt.

Arth. Cook, Edwd Green, Robt Turner,
Jno. Symcock, Phin. Pemberton, Wm. Markham, Secre.

The Judges that were appoynted for this Provll Court yt is by Law to sitt this day in Philadelphia, were attested, and signed to a paper.

Orded that ye Secretary signe ye Ordr of Councill for Peter Gronendike.

Adjourned till ye 15th next month, unless further Occasion.

At a Councill in ye Councill Roome In Philadelphia ye 1° of ye 8th month, 1686.

PRESENT:

ARTHUR COOK, Presidt, Chosen by ye Rest.

John Symcock, Wm. Southersby, Phin. Pemberton,
Robt Turner, Edwd Green, Wm. Markham, Secre.
Wm. Clark,

The Judges Report the Great abuse offered by Patrick Robinson in ye Provll Court to ye Judges then sitting on ye bench, to ye great hazard of y^{e} good, quiett and peaceable Constitution of y^{e} Governm^{t}, and Great Disturbance and hindrance of Justice in y^{e} highest Court of this Province.

Upon y^{e} Judge's Complaint to this board of y^{e} Ill behaviour of Patrick Robinson in y^{e} Prov^{ll} Court, it is ordered y^{t} he be dismissed of his Office as Clark of y^{e} County Court of Philadelphia, and y^{t} y^{e} Records of y^{e} said Court, and all other papers relateing thereunto, be brought to y^{e} Councill, or Delivered to David Lloyd, who is Ordered to succeed him in his Office, and Comission Ord^{d} to be forthwith drawne accordingly.

Ordered a new Comission be forthwith Drawne to Constitute or Continue Wm. Clark a Gena^{ll} Justice of the peace both for y^{e} Province & Territories.

Adjourned till 7 To morrow morning.

At a Councill in y^{e} Councill Roome In Philadelphia y^{e} 2^{d} of y^{e} 8th Mo., 1686.

PRESENT:

ARTHUR COOK, Presid^{t}, Chosen by y^{e} Rest.

Rob^{t} Turner, Edw^{d} Green, Wm. Southersby,
John Symcock, Phi. Pemberton, Wm. Markham, Secre.
Wm. Clarke,

The Comission y^{t} was Yesterday ord^{ed} for Wm. Clark to be Justice of y^{e} peace for y^{e} Province and Territories, was this day signed by y^{e} Present President.

The Comission that was Yesterday Ord^{ed} to be drawne for David Lloyd to be Clark of y^{e} County Court of Philadelphia, was this day signed by the present Presid^{t}.

Edw^{d} Green and Wm. Southersby, both members of Councill, were appoynted to goe to Patrick Robinson, and in y^{e} name of y^{e} Councill. Demand y^{e} Record and all other writings y^{t} belong to y^{e} County Court of Philadelphia.

Ord^{ed} a Lett^{r} be writt to y^{e} Gov^{r} in answer of two Letters Receiv^{d} by this board from y^{e} Gov^{r}.

Edw^{d} Green and Wm. Southersby Reports y^{t} according to y^{e} Ord^{r} of this board, they went to Patrick Robinson, & that he was very willing to Deliver up all y^{e} fyles, both for his time and y^{e} time John Southren was Clark, with all prossesses and Continuances of actions, and after six hours peaceable Continuance in his owne house, he will deliver up all y^{e} acco^{ts} for y^{e} Levies, and y^{t} he will much abreviate y^{e} time he had for y^{e} perfecting y^{e} Records, w^{ch} he has in a great measure gon into, but yett wants to draw out his owne accounts, in order to gether in his Debts, w^{ch}, if he should part with all, was wholly incapable of Doing; and likewise, y^{t} he desired he might be admitted to Come before y^{e} Councill to Discourse about it.

The two members of Councill were againe appointed to goe to Patrick Robinson and tell him that he might Come to ye Councill with his Keeper.

The Two members of Councill Returned. Patrick Robinson Came with them: ye members Reported they delivered their Message to Patrick Robinson, that he made answer that if his Keepers would not look after him he had no reason to seak them, but would Come along with us.

Patrick Robinson did before this board Ingage ffreely to Deliver all things that Relate to ye County Court of Philadelphia that was in his possession, Either to night or on next second day morning, to ye Secretary, if the Councill will appoint him to give ye Receipt for the same, and yt he might have free access to them for ye making up his accounts, wch was granted and Ordered accordingly.

Adjourned till ye 15th Instt, or further Order.

At a Meeting of the Councill in The Councill Room The 16th 9th month, 1686.

PRESENT:

JOHN SYMCOCK, Presidt, Chosen by ye Rest.

Arth. Cook, Wm. Southersby, Wm. Markham, Secre.
Robt Turner, Tho. Janney,

The Petition of Capt. Tho. Holmes, was Read, Complayning against Charles Ashcome, one of his Deputy Surveyrs, for want of a mapp of his work don in Chester County.

The Petition of Griff. Jones was Read, about Rent due for his house from Chris. Taylor.

Referd to ye Executors and administrators of Chris. Taylor's Will, whome they Doubt not but will doe him Justice therin.

Adjourned till Eight to-morrow morning.

At a Meeting of the Councill in ye Councill Roome in Philadelphia ye 17th 9th Mo., 1686.

PRESENT:

JOHN SYMCOCK, Presidt, Chosen by ye Rest.

Arth. Cook, Pr Alrichs, Tho. Janney,
Robt Turner, Wm. Southersby, Wm. Markham, Secre.

The Petition of Abraham Opdengrafe was read, for ye Govrs promise to him should made the first and finest pece of linnen Cloath.

Adjourned till two in ye afternoon.

POST MERIDIEM.

PRESENT:

THOMAS LLOYD, Presidt.

Robt Turner,	Arth. Cook,	Wm. Markham, Secre.
Petr Alrichs,	Tho. Janney,	

The Petition of Capt. Tho. Holmes, that was Read yesterday, was againe Read.

The Petition of Abraham Opdengrafe yt was read this forenoon was again Read.

Adjourned till Eight To-morrow morning.

At a Meeting of the Councill in The Councill Roome ye 18h 9th Mo., 1686.

PRESENT:

THOMAS LLOYD, Presidt.

Robt Turner,	Tho. Janney,	Jno. Barnes,
Arth. Cook,	Petr Alrichs,	Wm. Markham, Secre.

Samll Land's Letter to ye Secretary was Read, bearing Date ye 14th 9th month, 1686, Desiring to procure for him as ye King's Sercher, a writt of Assistance.

James Walliams, who was Constituted ye King's Collector for ye Bay and River of Delaware, by Comission from Patrick Mein, Esqr, ye King's Surveyr Genll of his Majts Customes in America, Came to ye Councill board and produced his said Comission, wch bare Date ye 23 day of October, 1686, and was Endorsed by John Cann and Peter Alrichs, Certifying thereby yt James Walliams, ye Collector, was attested ye same day before them, Justices of ye Peace for ye County of New Castle, for his faithfull Discharge of his trust in that Office.

The Comission was subscribed thus, (Viz:) I Doe approve of yt Person Deputed by ye aforesaid Comission. Signed,

JOHN CANN.

James Walliams Backed Samll Land's Request in his Letter to ye Secretary, and Desires ye Councill would grant ye said Samll Land a Writt of Assistance; to which ye board made answer that ye King's Officers should have all ye Assistance possible from them in the Executing their Office, when Ever they shall have Occasion to make use of it.

It was Debated in Councill whether James Walliams had yt day presented himselfe to them as ye King's Collector, in forme and manner as obliged to by his Instructions. Was Carried in ye Negative.

Jacob Hall's Petition was Read, Requesting ye Remittment of the fines that was Layd upon ye Servants of his Imployer.

Answer: The Councill will Recomend their Thoughts to ye next County Court for Bucks, whether ye Petitioner is Referred, and it was don accordingly, by y^e^ Members of Councill for y^t^ County then present.

Israell Taylor having formerly putt in Cavett against y^e^ Probate of his father's will, he Declares is now willing to have all Refered to the Governor.

Adjourned till four in y^e^ Afternoone.

POST MERIDIEM.

PRESENT:

The same persons as in the forenoon.

Upon y^e^ Application of Israell Taylor to this board for a sute of Cloaths of his father's, and for a bedd and furniture, the Councill Consented y^t^ by a Member or two of this board, Tho. Hooton be desired to give him a sute of Cloaths, and as to y^e^ bedd & furniture they are not willing to grant till they understand y^e^ Gov^rs^ minde in Relation to y^e^ Estate.

The Comission upon y^e^ Death of Wm. frampton, one of y^e^ persons Comissionated for y^e^ mannagem^t^ of y^e^ Registry Office, and upon the Application of Wm. Southersby to be Excused for being Concerned therein as joynt Comissioners, and Rob^t^ Turner also not Desiring to Continue therein, it was unanimously that y^e^ Gen^ll^ Registry be proposed to the acceptation of James Claypoole, Sen^r^, having lately Requested y^e^ same; upon his Consent thereunto, a Comission to be Drawne to Impowre him to act therein During y^e^ Gov^rs^ Pleasure.

Adjourned till Eight To-morrow morning.

At a Meeting of the Councill in the Councill Roome The 19^th^ 9^th^ month, 1686.

PRESENT:

THOMAS LLOYD, Presid^t^.

Rob^t^ Turner,	Pet^r^ Alrichs,	Tho. Janney,
Arth. Cook,	John Barnes,	Wm. Markham, Secre.

The Comission for Register Gen^ll^ was this day given to James Claypoole, Sen^r^, and he attested accordingly.

Wm. Carter had his Comission given him this day to be Sherriff of y^e^ County of Philadelphia.

The Councill takeing into Consideration y^e^ Unevenesse of y^e^ Road from Philadelphia to y^e^ falls of Delaware,

Agreed that Rob^t^ Turner & John Barnes for y^e^ County of Philadelphia, Arth. Cook and Tho. Janney for y^e^ County of Bucks, with y^e^ Respective Survey^rs^ of y^e^ s^d^ Counties, meet and Lay out a more Comodious Road from y^e^ broad Street in Philadelphia to y^e^ falls aforesaid: y^e^ time when is Referred to y^e^ memb^rs^ Nominated.

Adjourned till further Order.

At a Meeting of the Councill in the Councill Roome In Philadelphia y^e^ 30^th^ of y^e^ 1^st^ Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid^t^.

Arth. Cook,	John Barnes,	Wm. Markham, Secre.
Nich. Newlin,		

Few members being Come to Towne, those present adjourned till two in y^e^ afternoon.

POST MERIDIEM.

PRESENT:

THOMAS LLOYD, Presid^t^.

Arth. Cook,	Nich. Newlin,	Jno. Barnes,
Rob^t^ Turner,	Wm. Clark,	Wm. Markham, Secre.

The Returne of y^e^ members to serve in y^e^ Prov^ll^ Councill for y^e^ County of Philadelphia was Read, and by y^e^ Councill accepted off. James Claypoole Returned therein to serve for Three Years, he having subscribed y^e^ Oligation took his place.

The Returne of Kent County was Read and accepted of, only John Curtis, who was returned to serve in Prov^ll^ Councill for three years, was Excepted, he having lained under Suspition of Speaking threasonable words; and altho' y^e^ Grand Jury had Returned y^e^ bill against him Ignoramus, yett y^e^ Councill thought it not fitt to admitt him as Councellor amongst them. Griffith Jones, who was returned at y^e^ same time, for y^e^ same County, to serve in Prov^ll^ Councill the Remaining part of the Time Wm. Frampton, Deceased, was to havese rved, signed y^e^ Obligation & took his place in y^e^ Councill.

Adjourned till to morrow morning y^e^ 9^th^ hour.

In the Councill Roome at Philadelphia y^e^ 31^th^ 1° Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid^t^.

Arth. Cook,	Nich. Newlin,	John Symcock,
Wm. Clark,	James Claypoole,	Rob^t^ Turner,
Griff. Jones,	Phin. Pemberton,	Wm. Markham, Secre.
John Barnes,		

The Returne of y^e^ members to Serve in Prov^ll^ Councill for y^e^ County of Chester was Read, and tho it was lame, yet upon y^e^ assurance of y^e^ members of Councill for y^t^ County, that y^e^ persons therein mentioned were fairly Elected, it was accepted of: John Bristow Returned to serve for three years in Prov^ll^ Councill, signed the Obligation & took place.

The Returne of Bucks County was Read & accepted off: Joseph Growdon was Returned to serve for three years in Prov^ll^ Councill, signed the Obligation & took place.

The Govrs Letter to ye Provll Councill was read, bearing Date ye 15th 7th month, 1686.

Adjourned till 4 in ye Afternoon.

POST MERIDIEM:

PRESENT:

THOMAS LLOYD, Presidt.
Arth. Cook,
John Symcock,
Wm. Clark,
Phi: Pemberton,
John Barnes,
Jam. Claypoole,
Robt Turner,
Griff. Jones,
Jos. Growden,
Nich. Newlin,
Jno. Cann,
Jno. Bristow,
Wm. Markham, Secre.

The Returne for ye County of New Castle was Read, signed Edwd Gibbs, pro Sherriff: the Councill would not accept of ye Returne so signed, but upon John Cann's assuring ye Councill that it was a faire Election, it was accepted, wherein Peter Alrichs was Returned to serve in Provll Councill for three years; he signed ye Obligation and took his place.

The Govrs Comission to ye Councill was Read.

The Returne of ye County of Sussex was read, wherin Majr Wm. Dyer was Returned to serve in Provll Councill for Three years: the Returne was Accepted, ye Majr Excepte against only.

Majr Wm. Dyer presenting himselfe as a Provll Member in Councill; the Councill Expressed their Genll Dissatisfacon and unwillingness to permitt him, and Desired to Desist, Declareing yt they Could not in Duty and Respect to ye King, nor with Security to ye Province, take such into ye Councill who had not Discharged the Office of ye King's Collr of his Customs within this Governmt with faithfulness & a good Report.

Majr Wm. Dyer pressing further for more perticular Reason for his non admittance into ye Councill as a member thereoff, ye Councill Referred to Wm. Clark, Jno. Cann, Petr Alrichs & Griffith Jones, to be a Comittee to Inquire into that matter, and to Reduce into writing the Reasons given, and to present them to this board the next Seventh day morning.

Adjourned till Eight to morrow morning.

In the Councill Roome at Philadelphia The first day of ye 2d month, 1687.

PRESENT:

THOMAS LLOYD, Presidt.
Arth. Cook,
Jam. Claypoole,
Nich. Newlin,
Jos. Growdon.
John Cann,
Wm. Clark,
Petr Alrichs,
John Barnes,
Phi. Pemberton,
John Bristow,
John Symcock,
Griff. Jones,
Robt Turner,
Wm. Markham, Secre.

The Petition of John Curtis was read, setting forth his great Dissatisfaction yt where he was Chosen a member of Councill for ye County of Kent, he was not admitted to take place.

Answer. The Councill Continues their Sence yt he Ought to be dismissed.

The Petition of Severall persons agt transporting of Dear Skins was Read.

A Petition from many of ye Inhabitants of Chester County, Requesting the same as ye former, was Read, in wch Petition were severall other Requests about Laws.

Ordrd yt notice be given to all the Justices & Others Concerned, yt they Strictly putt in Execuon ye Law agt transporting Raw Deer Skins, & yt ye Law agt Selling of Rum, ye Laws against Curseing and swearing, & ye Law agt Drunkeness, be strictly putt in Execution.

The Presidt & Councill Debating about ye Petition of John Curtis this day read at ye board, they did unanimously agree, yt whereas it did appear to this board yt ye said John Curtis had been accused of treason, & tho ye Grand Jury found not ye bill, yett were* think it our Duty to Dismiss him, and therefore he is accordingly Dismissed from ye said service.

Adjourned till to morrow morning.

In the Councill Roome at Philadelphia The second day of ye second month 1687.

PRESENT:

THOMAS LLOYD, Presidt.

Wm. Clark,
Petr Alrichs,
Griff Jones,
Jos. Growdon,
Arth. Cook,
John Bristow,
Nich. Newlin,
Phin. Pemberton,
Jno. Symcock,
Robt. Turner,
John Barnes,
John Cann,
Jam: Claypoole,
Wm. Markham, Secre.

The Comittee appointed to prepare perticular reason why Majr Dyer was not admitted a member of Provll Councill, brought in their Report to ye Councill in writing, with ye Reasons taken by them from other persons, under the relator's hands, all wch was Read at this board, and unanimously allowed of by the Councill as a sufficient Reasons for his non admission.

After Reading ye Govrs Letter of ye last seventh month, with various Considerate Debates in this Legislative Provll meeting Concerning ye Present body of Laws, & of ye Security & benefitt wch might accrew to the Province and Inhabitants by their Repeal Intirely as they Stand, and of their Speedy revivall next Genll Assembly, wth such allowed alterations and abrogations of those whose service are Either Determined or not so materiall as when first Enacted, & with all perusing the minutes and finding the Concurrent Sense of ye last

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*We.

Assembly: The Presidt & Provll Councill have at this time unanimously & with Generall Express satisfacon, Concluded & ordered yt it should be so Entred in the Councill book that ye Law so Compacted & Continued as they now are, may Remayne and be in force without annulling Variations, or supply of additionall bill or bills at this time, till wee hear further from ye Govr, his arrivall, or to ye sitting of ye next Provll Councill, in Ordr to prepare bills to be promulgated for the Assembly to pass into Laws. In the Interime howsoever, it is Expressly agreed upon yt the bench of Justices in Each County writ unto by a publick Instrument to Incourage, quicken and require the Due Execution of all such Laws more Especially, which being to frequently, publicqly & notoriously transgressed, God's blessed truth Comes thereby Grieved, his name prophaned, the Province Governmt & Professors of his holy way, and scandalised thereby.

Memorendums of what is to be Compleated by ye Councill by ye approbation of the present members:

1th That a publick writing be sent to ye Respective Counties to Informe them of the respectfull Remembrance of our Govr towards them, ye Reasons of his unpleasant Stay, the Sudden hopes of his arrivall, wth an accot of our present proceedure, to be Dispatched with all Expedition.

2dly An Enquiry of ye undertakers about ye Govrs Supply, wth what furtherance may be of the same.

3dly That ye Govrs Instructions about ye Caves be persued.

4thly That a new Comission be Drawn for ye Continuing ye former Judges for ye next Provll Court.

5thly That Comissions may be prepared for Officers for ye Countyes were wanting.

Desired yt ye Presidt signe ye Severall Comissions.

The Members of New Castle County having presented Edwd Gibbs for Sherriff of yt County, Ordrd that a Comission be Drawn for him.

Samll Hersent's Petition was Read, begging Relief from ye Judgment of ye County Court of Philadelphia. Henry Reynolds plant. Referred to the Provll Judges.

A Table of fees Relating to the Atturney Genll Office having been perused, is allowed off by this board untill further Ordr.

POST MERIDIEM.

PRESENT:

THOMAS LLOYD, Presidt.

James Claypoole,
Wm. Clark,
Joseph Growdon,
Phin. Pemberton,
John Barnes,
Petr Alrichs,
John Cann,
Griffith Jones,
Wm. Markham, Secre.

The Petition of Thomas fairman against Capt Tho. Holmes, Surveyr Genll, was Read.

Answer. That Capt Holmes Intends to be at ye Comissrs meeting the next second day, whether he is Referred.

The Petition of Cornelius Empson, Concerning a Bridg Road and a Water mill on Brandiwine Creek, was Read.

The Petition of Robt Jeffs was Read, requesting Reliefe agt Tho.

fairman's forcable Entry in to his house, as he Expresses it in his Petition.

Answer. That the Courts of Law are and shall be open, but y^e^ Sense of the Councill is, that their mutuall agreements should be accordingly performed.

Adjourned till y^e^ fourth Ins^t^.

At a Meeting of the Councill in y^e^ Councill Room at Philadelphia The 4^th^ of y^e^ 2^d^ Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid^t^.

Wm. Clark,	Rob^t^ Turner,	Joseph Growdon,
Arth. Cook,	Phin. Pemberton,	Wm. Markham, Secre.

The Petition of John Van Cullin was Read, Requesting Releef from y^e^ Oppression of Thomas Usher, Sherriff of Chester County, who by Vertue of an Execution obtained By a Vexatious sute of Charles Ashcome, hath taken from him his two milk Cows, w^ch^ was all he, his wife and seaven small Children had to live upon, himselfe being sixty & six years of Age, and past his Labour to work for more.

Ord^ed^ That an Ord^r^ be sent to y^e^ Sheriff of Chester County to appear before y^e^ Councill y^e^ next second day, to answer the Complaint of the Petitioner, and if any Distress or Execution hath been served on his goods or Chattles, that they be no ways Disposed of untill y^e^ Complaint be answered before this board, and if y^e^ Cattle be taken away, that they be forthwith Restored, or Carefully looked to in y^e^ meantime; and that he make Returne of a former Order he had from this board in the buisness between Charles Ashcome and Jn^o^ Van Culing.

Adjourned till 3 in y^e^ Afternoon.

At a Councill in the Councill Roome In Philadelphia y^e^ 5^th^ of y^e^ 2^d^ month 1687.

PRESENT:

THOMAS LLOYD Presid.

Wm. Clark,	Rob^t^ Turner,	James Claypoole,
Arth. Cook,	Jos. Growdon,	Wm. Markham, Secre.
Phi. Pemberton,		

The Petition of James fox in behalfe of himselfe and y^e^ Rest of the Inhabitants of y^e^ Plymouth Township, was Read, requesting a Cart Road might be laid out to their Towne Ship.

Ord^ed^ that there be no Disturbance or Molestation to the Inhabitants of the Pleymouth Townshipp, In their finding and Laying out a Convenient Cart Road from Philadelphia to their Township.

Adjourned till y^e^ 11^th^ Ins^t^. 9 in the forenoon.

At a Meeting of the Councill in the Councill Roome In Philadelphia ye 11th 2d Mo., 1687.

PRESENT:

THOMAS LLOYD, Presidt.

John Symcock, Jam. Claypoole, Robt Turner,
Arthur Cook, Griff. Jones, Wm. Markham, Secre.
Wm. Clark,

Thomas Usher made his Appearance before this board according to Summons, to answer ye Complaint of John Vanculling, and for answer subscribed ye Summons, with these words following, and Returned ye same so subscribed to ye Councill, Vizt: As to this Ordr my Returne is, I doe abide by my Lawfull Serving ye Execution upon ye Milch Cattle of Jno Vanculin in ye Case of Charles Ashcome.

THO. USHER this 11th 2d Mo., 1687.

The Petition of Arnoldus Delagrange was Read, Requesting the Speedy payment of Money due to him from Christo. Taylor, Deceased.

Answered. That if the Govr comes not, nor ye Councill hear from him in six Weeks or two months time, speedy Course shall be taken by this board to pay ye Petitioner.

Adjourned till further Order.

At a Councill In the Councill Roome in Philadelphia ye 13th 2d month, 1687.

PRESENT:

THOMAS LLOYD, Presidt.

Wm. Clark, Arth. Cook, John Barnes,
Griff Jones, James Claypoole, Wm. Markham, Secre.
Jno. Symcock,

Ordel that ye Secretary signe Six Instrumts, to be sent one to Each County, to minde ye Magestrates of their Duty in suppressing of all Desbauchery.

The matter of the Supply being reassumed, Ordrd that ye undertakers bring in their Reasons why the sum for the supply, according to their obligations, is not paid; ye day appoynted is the 10th of ye next month.

By Express Ordr from ye Govr to The Provll Councill, that notice be given to all persons Concerned in ye Caves or houses built upon ye bank of this Towne, on Deleware side, unless those Leased by the Govr & not yett Expired, do by ye 20th of ye next month, provide for themselves other habitations, in order to have the said Caves or houses Distroyed, or otherwise Disposed off, as the Govr shall see meet.

The Petition of Robt Jeffs was Read, requesting Relief against the forceable Entry and Deteiner of Thomas fairman.

The address of Capt. Tho. Holmes agt Charles Ashcome was Read.

Adjourned till Six to morrow morning.

At a Meeting of the Councill in ye Councill Roome In Philadelphia ye 14th 2d month, 1687.

PRESENT:

THOMAS LLOYD, Presidt.

James Claypoole,	Wm. Clark,	Wm. Markham, Secre.
Arthur Cook,	John Symcock,	

The Petition of Thomas ffairman was Read, respecting the Differnce between him and Robt Jeffs as to a forceable Entry; as also, touching upon Capt Thomas Holmes.

Robert Jeffs & Tho. fairman being both before ye Councill, and ye affair in Differance being Considerately Debated, it was unanimously Ordered, with ye Joynt accord of both parties, yt Robt Jeffs should have peaceable admission and possession into the Messauge and Premises Demised to him at frankford, by Tho. fairman, at or upon the next seventh day, in the forenoon, wch will be ye 16th Inst, and yt ye Intended uncertaine Improvements mentioned in ye margent of the Contract in writing, are to be four hundred apple trees, to be sett and planted within ye first fourteen years, at a Convenient Distance, with a pale, or a sufficient Close fence, and ye same to be accordingly Kept, and so surrendred at ye Expiration of the Tearme.

Ordd that Tho. Barker, Samll Jobson, Sabian Cole, Jno. More and Humph South, have their Returns made into ye Secretary's Office, (by the Surveyr Genll,) of the Land that was Surveyed for them by Charles Ashcome in the Welch tract, it being in all four thousand acres.

Adjourned till further Order.

At a Meeting of the Councill in the Councill Roome at Philadelphia ye 19th 2d Mo., 1686*.

PRESENT:

WM. CLARK, Presidt, p Choyce.

James Claypoole,	Griffith Jones,	Wm. Markham, Secre.
Robert Turner,		

The Govr and Councill's Letter of New York, bearing date ye 15

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*1687.

Aprill, 1687, Directed to y^e^ Presid^t^ & Councill of Pennsilvania, was Read.

Ordered That a Coppy thereof be sent to Presid^t^ Lloyd, at New York.

Adjourned till further Order.

At a Meeting of the Councill in the Councill Roome In Philadelphia y^e^ 10^th^ 3^d^ Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid^t^.

Jno. Symcock,	John Roads,	Jos. Growdon,
Arth. Cook,	Wm. Darvall,	Wm. Markham, Secre.
Wm. Clark,		

The Gov^r^ and Councill's lett^r^ of New York of y^e^ 15^th^ Aprill, 1687, Directed to y^e^ Presid^t^ and Councill of Pennsilvania, was Read a second time.

Ord^ed^ that answer be sent by y^e^ first Opportunity, Relating that Wee Know of no such man as D' plessie within this Province, nor shall be Countinanced by us. 2dly. as to y^e^ Susquahanna and Skoolkill Indians, Wee hope such Care and diligence shall be used as will give no just occasion of Offence.

The Petition of Wm. Nicholls was Read, requesting Relief ag^t^ an Execution obtained in y^e^ County Court of Philadelphia by John Cropt, against y^e^ said Wm. Nicholls.

Ord^ed^ That Cropt have notice to appear To-morrow before this board.

The Petition of John Readwood was Read, requesting Relief against an Execution obtained ag^t^ him in y^e^ County Court of Philadelphia, at y^e^ sute of Rich^d^ Hogbean.

Ord^ed^ That Rich^d^ Hogbean have notice to attend y^e^ Councill tomorrow morning by 10.

Adjourned till tenn To-morrow forenoone.

At a Meeting of the Councill In the Councill Room In Philadelphia y^e^ 11^th^ 3^d^ Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid^t^.

John Symcock,	John Barnes,	John Roades,
Arthur Cook,	Wm. Darvall,	Wm. Clark,
Griffith Jones,	John Bristow,	Wm. Markham, Sec.
Joseph Growdon,	Nich. Newlin,	

Richd Hogbean appeared according to appoyntment yesterday.

Jno. Readwood's Petition yt was Read at ye board yesterday, was againe read.

Orded that they goe together and Endeavor to accomodate ye Difference between themselves; if they Cannot, then to Come againe.

Wm. Salway & Thomas Langhorne Came wth a message from ye Assembly to know when they should wayt on ye Councill.

Answered in halfe an hour, or sooner if they pleased.

The King's Letter bearing Date ye 19th November, Directed to Presidt Lloyd or Secretary Markham, Commending the sending of John Grey, als Tatham, by ye first Conveneny of Shipping for England, to answer to severall Misdemeanors alliged there agt him, was Read.

The Assembly, with their Speaker, Came to The Councill: they made severall proposals to ye Councill, then left them in writing, signed by their Speaker, wch are as followeth, Verbatim:

Sundry Proposalls Agreed on by The Assembly to be presented to ye Presidt & Councill, as followeth:

1. That ye Presidt and Councill be moved yt the Counties may not Suffer a Vacantcy by the Suspention of members, but that ye persons may Either be re-admitted, or Else writs Issue out the respective places for a new Choyce.

2dly. That ye Councill be moved to revoke their Orders to the County Courts prohibiting Executions to be Issued out untill tenn days after Judgment, by reasons divers Inconvenentcies have accrued thereby.

3dly. That ye Presidt & Councill be Desired that for ye Continuing of a good understanding between ye upper & Lower Counties, that there may be at least One of the Provll Judges Chose from ye Lower Counties.

4thly. That ye Councill be moved prohibitt Iregular Summons to be Issued out from one County to an other, to be Vexation of the free people of this Province, & Contrary to ye Intent of ye Law.

5thly. That the Councill be moved according to ye power of ye Charter, to take a Speedy accot of ye moneys paid for ye Erecting of Bouys, & yt wth all Convenient Speed ye sayd Bouys be Erected, for ye safety and preservation of Vessels coming in and going out of this Province & Territoryes, & to prevent the Claymours of Masters of Vessells who are obliged to pay the Money and Reape no benefitt thereby.

Signed p order.
JOHN WHITE, Speaker.

PHILADELPHIA, ye 11th 3d month 1687.

Adjourned for an hour.

POST MERIDIEM, ye 11th 3d Mo., 1687.

PRESENT:

THOMAS LLOYD, Presidt.

Arth. Cook,
Jno. Symcock,
Jos. Growden,
Jno. Barnes,
Griff. Jones,
Jno. Bristow,
Nich. Newlin,
John Roades,
Wm. Clark,
Wm. Dervall,
Wm. Markham, Secre.

Robt Jeffs made his address to ye Councill personally, without writing, Complayning that the Order of this Board of ye 14th 2d Mo. last, was not observed, and Requested they would be pleased to Order ye Justices forthwith to Execute it.

Ordered yt ye Magestrates before whome Enquirie was made, have notice of the address of Robt Jeffs, and yt it is the unanimous opinion of this board, that according to ye mutuall agreement of both parties (Viz: Tho: fairman and Robt Jeffs,) made before this board on ye 14th of ye 2d Mo. Last past, the said Robt Jeffs ought to have Repossession of his house and Tenement at franckford.

Wm. Nicholls and John Cropt being by appoyntment on ye 10th Inst to appear before this board yesterday, made their appearance to day. After a long hearing of ye Difference between them, it was ordered that Wm. Nicholls Bring in his account to morrow morning.

The Councill's Answer To ye Proposalls made by the Assembly in ye forenoon.

1. If a suspended member be not admitted, nor Cleare himselfe within two months, then a new writt shall be Issued to Choose an other according to Law.

2. Wee Refer the same to ye former practice, and ye Discression of ye Judges and Justices of the Respective Courts.

3. In Choyce of Judges, there shall be tender Regard and due Respect had to ye Lower Counties.

4. That all Irregular Summons from one County to another shall be wholly Discountinanced.

5. It's Ordered that an accot be brought to ye Provll Councill of what money hath been Collected on accot of Bouys, wth all Convenient Expedition, that it may be applyed to its proper use.

Adjourned till 9 To morrow morning.

At a Meeting of the Councill in the Councill Room In Philadelphia ye 12th 3d Mo., 1687.

PRESENT:

THOMAS LLOYD, Presidt.

Arthur Cook,
Ja. Claypoole,
Wm. Dervall,
John Roades,
John Bristow,
Nich. Newlin,
Griffith Jones,
John Symcock,
Joseph Growdon,
John Barnes,
Wm. Markham, Secre.

Luke Watson and Vallentine Hollensworth Came with a Message from ye Assembly, to Know when ye Councill would be at Leasure to hear some proposalls from ye Assembly.

Answered. As soon as they pleased.

The Assembly Came with their Speaker to the Councill, and having Debated on ye proposalls following, left them in writing, signed by their Speaker, which followes, Verbatim:

Ordered yt a Conference be proposed to the Presidt & Provll Councill, wherein some Laws wch are Lyable to Divers Interpritations or Expositions, may at this Genll Assembly be Explained, & ye true meaning thereoff Declared, to prevent Diversity of Opinions and Errours that may otherwise arrise, Viz:

1. That the Law relating to goods taken upon Execution & appraised, whether ye Creditor shall be obliged to take them at ye Rate appraised if they will not advance higher at ye publick Sayle, and whether ye appraisers are by Law Intended to be appraisers in other matters.

2. The Law Concerning Quarter Sessions; how far ye County Quarter Sessions may be Judges of Equity as well as Law, and if after a Judgment in Law, whether the same Court hath power to Resolve itselfe into a Court of Equity, and Either Mitigate, alter, or Revers ye said Judgment.

3. That the Presidt & Provll Councill be Requested to take such Effectuall Care about setling the antient port of the whorkills at Lewis, whereby ye Inhabitants may not be deprived of benefit of Receiveing goods from on board any Vessell, untill ye said goods be first Cleared at New Castle, whereby ye Difficulty of returning, and some times the danger that doth otherwise attend Vessels, have Deprived ye Inhabitants of Such goods as have been Consigned to them.

4. That the Presidt & Councill be requested to Command that such necessary Publick Roads be Every where sett forth and Duly maintained, & more Especially in ye County of Philadelphia, yt traviling for man and Beast may be more Easie, safe & Certaine.

5. That the Assembly Confer with the Provll Councill about the regulation of the Current pay of this Governmt.

Signed p Order.

JOHN WHITE, Speaker.

PHILADELPHIA, the 12th 3 Mo., 1687.

Adjourned for one hour Pressisely.

POST MERIDIEM. 12 3 Mo., 1687.

PRESENT:

THOMAS LLOYD, Presidt.

Jos. Growdon,
Jno. Bristow,
Jno. Symcock,
Arthur Cook,
Jam. Claypoole,
Wm. Clark,
Nich. Newlin,
John Roades.
Wm. Darvall,
Griffith Jones,
Wm. Markham, Secre.

A Letter bearing date ye 9th Inst. from James Walliams, Collector at New Castle, Directed to y^e Secretary, was Read, Desireing y^t if the Warr^t of assistance was Ord^d by y^e Councill, to send it him downe.

Ord^ed that y^e Secretary Informe him of a Comission newly received from y^e Gov^r, and Expected Every day to be opened, to w^ch the Granting of the Warrant is Referred.

A Comission Directed to Wm. Markham, Thomas Ellis & John Goodson, was Read at this board, Wm. Markham & John Goodson being present; it was Date y^e 21^th 11^th Mo., 1686.

Adjourned till y^e 16^th Inst^t, 9 in y^e forenoon.

At a Meeting of the Councill in the Councill Room in Philadelphia The 16^th of the 3^d Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid^t.

Arth. Cook, Joseph Growdon, John Barnes,
Wm. Clark, John Bristow, Wm. Markham, Secre.
Griff. Jones,

Ord^ed that a writt be forthwith sent to Kent County, for y^e Chooseing of a member of Councill in y^e Roome of John Curtis, Dissmissed.

Ord^ed that new Sheriff be Comissionated for y^e County of Sussex, with all Expedition.

Orded That a Comission be made for John Roads to be Renger of Sussex County.

Adjourned till further Order.

At a Meeting of the Councill in the Councill Room at Philadelphia y^e 17^th 3^d Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid^t.

Arth. Cook, Wm. Clark, Griff. Jones,
Jos. Growdon, John Symcock, Wm. Markham, Secre.

The Petition of Elizabeth Shorter, Widdow, was read, Complayning that John Rush, her son in Law, in stead of a Letter of Atturney that shee was to signe, prepared a Deed of gifft of all her Estate, with power of Atturney, to one Sam^ll Atkins, to acknowledge the same in Court.

The Wittness to y^e Deed were severally Examined; they all Confest the writing was not read to her, nor Could shee Ever write or Read herselfe, so y^t it appeared to this board to be an absolute Cheat.

Adjourned till further Order.

At a Meeting of the Councill in the Councill Roome at Philadelphia y^e 18th 3^d Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid^t.

Arth. Cook,
Jno. Symcock,
Wm. Clark,
James Claypoole,
Griff. Jones,
Joseph Growdon,
Wm. Markham, Secre.

The Writt for Choosing a member of Councill for y^e County of Kent, in y^e Roome of Curtis, Dismissed, was this day signed by y^e President.

The Petition of John Redwood for Releef against an Execution Surreptitiously obteined against him at y^e Sute of Rich^d Hogbean, at y^e County Court of Philadelphia, (formerly Read at this board,) and now Read againe.

Answered. It is y^e Sense of y^e Councill that the offers John Redwood made before y^e Members of this board for y^e Satisfacon of the Debt he Oweth to Rich^d Hogbean, are Sufficient, Viz: to give Security to pay y^e Debt in Sussex County, where the Creditor lives. Secondly, he Offered a Warrant of Atturney to Confess Judgment for y^e same in y^e next Court to be held in y^e County of Sussex, if not payd before. And Lastly, y^e Creditors refuseing to take Wm. Clark security for y^e payment of y^e Debt within six weeks time, notwithstanding the Cred^r first proposed it, & Wm. Clark willing thereto. Therefore, this board's Opinion is, that y^e Creditor, Rich^d Hoggbean's, behaviour in this is Litigious and Vexatious.

The Petition of James Browne was Read, desiring the paym^t of money due to him from Chr. Taylor, Deceased.

Answered. that at the time appoynted, Arnoldus De La Grange, it shall have its answer.

The Petition of Thomas Woolaston was Read, Complayning that y^e County Court of New Castle had Denyed him an appeal to have his Cause heard in Equity, notwithstanding he gave his reasons for Requesting his appeal, and his Security then ready in Court; he produced to this board y^e Coppy of y^e proceeding in y^e County Court, w^{ch} was signed by y^e Clark thereoff, upon y^e Reading off which y^e Councill approved of y^e reasons therein given to be sufficient for y^e granting him an appeal; & thereupon ord^d y^t y^e Secretary take Security of y^e s^d Tho. Woolaston, for the Prossecuting y^e said appeal at y^e next Prov^l Court, and then sent a Coppy of this minute, with orders from this board, under y^e secretary's hand, to y^e Magestrates of New Castle County, or a Quorum thereof, willing & requiring them to stopp all further proceeding relating to this Cause in y^t County, and y^t the appeal be granted him to y^e next Prov^{ll} Court.

Adjourned till further Order.

At a Meeting of the Councill in the Councill Roome in Philadelphia The 17th of ye 6th Mo., 1687.

PRESENT:

THOMAS LLOYD, Presidt.

Wm. Clark,
Arth. Cook,
Griff Jones,
Jos. Growdon,
Nich. Newlin,
John Bristow,
Wm. Markham, Secre.

Ordered that a writt be sent to ye Sherriff of Philadelphia County, for ye Choosing of a member to serve in Provll Councill in the Roome of James Claypoole, Deceased, & that ye Election be on ye 26th Inst.

Adjourned till 3 in ye afternoon.

POST MERIDIEM.

PRESENT:

THOMAS LLOYD, Presidt.

Wm. Clark,
Arth. Cook,
Jos. Growdon,
Griffith Jones,
Nich. Newlin,
John Bristow,
Robt Turner,
Wm. Markham, Secre.

Ordered yt a Genll Comission of ye Peace be made for ye County of Philadelphia, and to put in John Eckley, Tho: Ellis, John Goodson, Wm. Southersby, Barnabas Willcox, Joshua Cart, John Shelton.

The Petition of about three score people, Inhabitants of Chester County, was Read, setting forth the great want of a Mill in their parts, and Requesting a Permission for Thomas Cocbourne to goe forward with ye building, and setting up of his mill on Chester Creek.

The Councill is willing to give Incouragemt to ye Proceedure of Thom. Cocbourne in the finishing of his mill that he is now about, for ye urgent necessity of ye Contrey, Reserving to ye Govr his Proprietary Shipp.

Adjourned till 7 to morrow morning.

At a meeting of the Councill in the Councill Room at Philadelphia ye 18th 6th Mo., 1687.

PRESENT:

THOMAS LLOYD, Presidt.

Wm. Clark,
Arth. Cook,
Robt Turner,
Griffith Jones,
Jos. Growdon,
John Bristow,
Wm. Markham, Secre.

Ordered That those persons who were Constituted Deputies by James Claypoole, late Register Genll of ye Province and Territories, doe Continue in ye Said Office untill further Ordr.

Ordr that John Eckley be Constituted Register Genll in the Roome of James Claypoole, Deceased, till ye Govrs pleasure be further knowne, in order to his Disposall of ye said Office.

Ord^{ed} That Thomas Hooton be requested to prove the will of Christopher Taylor, Deceased, & to administer upon y^{e} same.

The Petition of Arnoldus Delagrange was Read, Requesting y^{e} Paym^{t} of what was Owing to him by Chris. Taylor, Deceased, according to a promise made by this board 11th 2d month last past. Refered to Tho. Hooton, who is desired to administer upon y^{e} Estate.

The Petition of Maj^{r} Wm. Dyer was Read, setting forth his sevear usage by an Illegall proceeding ag^{t} him at New Castle, in attachment of his Goods, & desiring Reliefe from this board.

Ordered y^{t} the Clark of New Castle Court be writ to to transferr to y^{e} Secre^{rys} Office y^{e} Coppy of what proceedings Remains on y^{e} Courts Records against Maj^{r} Dyer, upon y^{e} attachment aforesaid.

Vpon y^{t} Reading y^{e} Petition of y^{e} Inhabitants of Rodnor, Complayning y^{t} part of y^{e} road y^{t} leades thence to the ferry of Philadelphia is ffenced in, & more likely to be, it was Ord^{ed} y^{t} John Bevan, Henry Lewis, David Merideth, John Evans, Barnabas Wilcox & Tho. Duckett, meet within fourteen days, to view or agree upon, as Conveniently as may be, a Road from y^{e} Place aforesaid to y^{e} ferry, and y^{e} Like Convenient Road from Darby to y^{e} ferry aforesaid, by y^{e} said Barnabas Willcox, Tho. Duckett, with John Blunston & Joshua fearne, by y^{e} Time aforesaid, and to Returne y^{e} same to this board y^{e} next sitting of Councill for their approbation.

John Bristow is desired to give y^{e} Persons above mentioned notice thereof in his Returne.

Wheras there was a late Order for y^{e} Viewing and Discovering a maine Road from y^{e} Center of Philadelphia y^{e} Shortest way to y^{e} falls, it is Requested y^{t} Rob^{t} Turner and Wm. Markham, with y^{e} Assistance of y^{e} Survey^{r} Gen^{ll} and his Deputy, to make use of y^{e} most speedy and Succesfull Methods for y^{e} running y^{e} same.

The Petition of John Ithell was Read, setting forth that Rob^{t} Turner had Nine Small baggs of peices of Eight of Wm. Steets of Cork, in y^{e} Kingdome of Ireland, part of w^{ch} y^{e} said Robert Turner hath delivered, and desires to be acquitted of y^{e} Residue, therfore prays it might Lodg in y^{e} hand of Humphrey Morrey or John Bristow, or who y^{e} Councill shall appoynt.

The Councill would not meddle with it.

Adjourned till y^{e} 8th 7th Mo. next.

At a Meeting of the Councill in the Councill Roome at Philadelphia y^{e} 8th 7th month, 1687.

PRESENT:

THOMAS LLOYD, Presid^{t}.

Wm. Clark,	Jno. Bristow,	Robt. Turner,
Jno. Cann,	Griffith Jones,	Wm. Markham, Secret^{y}.
P^{r} Alrichs,	Nich. Newlin,	

The Petition of Majr Wm. Dyer that was Read ye last sitting of the Councill was againe Read.

The Clark of New Castle County being present, and Informing ye Councill of ye favourable proceedure of ye County Court upon ye Attachement of ye Goods of Majr Wm. Dyer, at ye sute of Mathias Vanderhayden, in not granting Judgment, notwithstanding ye Petitioner's promise of appearance ye second Court after ye proces served, and they being now better satisfyed of his Estate and Residence in this Governmt, Wee doubt not but upon his application to them he will finde Speedy and Easey Redress.

Vpon the Application of Thomas Hooton, who was desired ye last sitting of Councill to prove ye Will & administer upon ye Estate of Chris. Taylor, he accepted ye same, upon this Request, that he might not be Continued Longer by the Councill then he would well discharge ye same, the wch ye Councill Granted.

Samll Carpenter was Returned to this board to serve as a member of Provll Councill ye Remaining part of ye time James Claypoole was to serve.

Part of a Scurrilous Invective Libel against Robt Turner, a worthy member of this board, & formerly one of ye Judges for this Province and Territorys, wch very abusively reflected upon him in ye Execution of that Office, in such matter as to our Certaine Knowledge is most abominably false and untrue, was Read;

Wherupon it was unanimously agreed by all ye members present, that all Convenient Speedy Course shall be taken for ye Discovering of ye forgers, or first Contrivers, as well as ye Publishers of ye same, that they may be brought to Condigne punishment.

Adjourned till tenn To morrow morning.

At a Meeting of the Councill in the Councill Roome in Philadelphia ye 9th of ye 7th Mo., 1687.

PRESENT:

THOMAS LLOYD, Presidt.

Robt. Turner,	Jno. Bristow,	Samll Carpenter,
Jno. Symcock,	Nich. Newlin,	Wm. Clark,
John Cann,	Griff. Jones,	Wm. Markham, Secre.
Petr Alrichs,		

Samll Carpenter, yt was Returned yesterday by ye Sheriff of Philadelphia County, to serve in Provll Councill in ye Roome of James Claypoole, for ye Remayning time he was to serve, This day signed ye attest and took his place at ye Board.

John Cann proposed in ye behalfe of ye County of New Castle, yt the King and Govrs Concerne may not suffer for want of an Atturney Genll. The Councill take it in to Consideration, yt ye Province and Territories shall be supplyed as occasion shall Require.

Ordrd that Writts Issue forth for ye Choosing of two members of Provll Councill, one for ye County of Kent, in ye Roome of John

Richardson, who for his non appearance according to Law and Charter, and his seeming unwillingness to serve, is Removed.

The other for y^e County of Sussex, in y^e Roome of Maj^r Wm. Dyer, who for not Clearing himselfe of y^e Charge against him within y^e time allowed him, is Dismissed.

Ord^{ed} that if John Eckley refuses to accept of the Office of Register Gen^{ll}, y^t the Presid^t offer it to John Goodson.

Adjourned till y^e tenth of y^e next Mo.

At a Meeting of the Councill in the Councill Roome at Philadelphia y^e 28th 7 bre., 1687.

PRESENT:

THOMAS LLOYD, Presid^t.

Arth. Cook,
John Symcock,
Griff Jones,
Sam^{ll} Carpenter,
Nich. Newlin,
Edw^d Green,
John Barnes,
Robt. Turner,
Wm. Markham, Secre.

Ordered that Thomas Ellis be put in the Comission for Register Gen^{ll}, in y^e Roome of John Eckly, formerly appoynted for y^e same, and in Case Thomas Ellis Refuse it, y^e President and Secretary are Impowred to nominate and appoynt one.

Adjourned till y^e 25th next month.

At a meeting of the Councill in the Councill Room at Philadelphia y^e 18th 9th Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid^t.

Arth. Cook,
John Symcock.
John Barnes,
John Bristow,
Jos. Growdon,
Griffith Jones.

Wm. Carter's Year of Sherriffalty being Expired, y^e Councill doe hereby nominate and authorise John Claypoole to act and be Sherriff for the City and County of Philadelphia, and y^t y^e Secretary upon his Returne, doe forthwith prepare a Comission accordingly, to Continue till further Order, and y^e Presid^t is desired to signe y^e same.

Adjourned till To morrow.

At a Meeting of the Councill in the Councill Roome In Philadelphia the 19th of y^e 9th month, 1687.

PRESENT:

THOMAS LLOYD, Presid^t.

Arth. Cook,
John Symcock,
John Bristow,
Griff Jones,
Jos. Growdon.

Wheras we are Informed by Wm. Clark, a member of Councill for y^{e} County of Sussex, y^{t} y^{e} Comission of the Peace for y^{e} said said County is Expired, it is therfore y^{e} Request of this present Councill that y^{e} Presid^{t}, wth y^{e} assent of y^{e} present members, doe send to y^{e} said County a New Comission by y^{e} first Opportunity.

The Presid^{t} as aforesaid, is Desired to Supply Kent County also with a Comission, if occasion be.

Adjourned till further Order.

At a Meeting of the Councill in the Councill Roome at Philadelphia y^{e} 8th 12th Mo., 1687–8.

PRESENT:

THOMAS LLOYD, Presid^{t}.

Rob^{t} Turner,
Arth. Cook,
Jno. Symcock,
Pet^{r} Alrichs,
John Cann,
Jno. Bristow,
Phi: Pemberton,
Griff Jones,
Jos. Growdon,
Sam^{ll} Carpenter,
Wm. Markham, Secre.

Adjourned till 3 in the afternoon, or till further Order.

At a Meeting of the Councill in the Councill Roome in Philadelphia y^{e} 9th 12th Mo., 1687–8.

PRESENT:

THOMAS LLOYD, Presid^{t}.

Robt. Turner,
Arth. Cook,
Jno. Symcock,
Pet^{r} Alrichs,
Griff. Jones,
Phin. Pemberton,
Sam^{ll} Carpenter,
John Bristow,
Joseph Growdon,
John Cann,
Wm. Markham, Secre.

The Gov^{rs} Comission under y^{e} broad Seal, unto Thomas Lloyd, Rob^{t} Turner, Arth. Cook, John Symcock, & John Eckley, Impowring them, or any three of them, to be his Deputy or Leiftenant, was Read.

At a Meeting of the Councill in the Councill Room at Philadelphia y^{e} 9th 12th Mo., 1687-8.

PRESENT:

Councillors.
1. Thomas Lloyd,
2. Rob^{t} Turner,
3. Arth. Cook,
4. John Symcock,
5. John Eckley.
Dep^{ty} Gov^{r}.

Councillors.
Peter Alrichs, Samll Carpenter,
Joseph Growdon, Phin. Pemberton,
John Cann, Griffith Jones,
John Bristow, Wm. Markham, Secrety.

The Returne of Kent County was Read, wherein was Returned Wm. Markham, to serve in Provll Councill in the Roome of John Richardson; ye Returne was allowed by ye Deputy Govr & Provll Councill, & Wm. Markham accepted as a member of ye Councill, attested, and took his place.

The Petition of Thomas Clifford was Read, Requesting Reliefe; being poor, and Long served ye Councill as their Messenger, It was unanimously agreed by ye Deputy Govr & Councill, that Each County shall pay him twenty Shillings, forthwith, for his present Relief.

Adjourned till further Order.

At a Meeting of the Deputy Govr & Councill in ye Councill Room at Philadelphia ye 30th of ye 1st Mo., 1688.

PRESENT:

Councillors.
1.
2. Robt Turner,
3. John Symcock,
4. Arth. Cook,
5. Jno. Eckley.
Depty Govr.

Councillors.
Griffith Jones, Wm. Yardley,
Samll Carpenter, Barth. Coppock,
Samll Richardson, Wm. Markham, Secre.

Four of ye above mentioned Councillors were Returned by ye Sheriffs of their respective Counties, to serve as members of Councill for three years next Ensuing, Vizt: Samll Richardson for Philadelphia, Wm. Yardley for Bucks, Barth. Coppock for Chester Counties, Griffith Jones for Kent; the which Returnes were accepted: ye members Returned admitted, signed ye Attest, and took their place.

Adjourned till 9 to morrow in ye forenoone.

At a Meeting of the Depty Govr & Councill in the Councill Roome at Philadelphia ye 31th of ye 1o Mo., 1688.

PRESENT:

Councillrs.
1.
2. Robt Turner,
3. Jno. Symcock,
4. Arth. Cook,
5. John Eckley.
Depty Govr.

Councillors.	Griffith Jones, Samll Carpenter, Samll Richardson, Wm. Yardley,	Barth. Coppock, John Bristow, Wm. Markham, Secre.

Wm. Clark's Letter to ye Depty Govr and Councill, without Date, was Read.

Luke Watson appeared and Presented himselfe as a member of Councill, Chosen ye last Election, for ye County of Sussex, but no Returne being made Could not be admitted.

The Complaint of ye Majr part of ye free-holders of Sussex County against ye Sheriff, for not returning a Member they had Chosen to serve in Provll Councill, was Read.

John Hill presenting ye Complaint was Called in, and answer given him that it should have a Due Consideration, and Justice Don to ye County.

Orded That franc. Cornwell, Sherriff of Sussex County, be Orded to appear before ye Deputy Govr and Councill ye same day ye next Genll Assembly is to meet, to answer ye Complaint above.

Adjourned till ye 2d of ye next Mo., tenn in ye forenoon.

At a Meeting of the Depty Govr & Councill in the Councill Roome at Philadelphia ye 2d of ye 2d Mo., 1688.

PRESENT:

Councillors.	1. 2. Robt. Turner, 3. John Symcock, 4. Arth. Cook, 5. John Eckley,	Depty Govr.
Councillrs.	John Bristow, John Cann, Griff Jones, Samll Richardson, Samll Carpenter,	Wm. Yardley, Barth Coppock, Jos. Growdon, Wm. Markham, Secre.

The Returne of New Castle County was Read & allowed off.

Johannes D. Haes was Returned to serve in Provll Councill, but made not his appearance at ye board.

Adjourned till 3 in ye afternoon.

POST MERIDIAM.

PRESENT:

Councill.	1. Thomas Lloyd, 2. Robt. Turner, 3. John Symcock, 4. Arthur Cook, 5. John Eckley,	Depty Govr.

Councillors.	John Bristow,	Griff. Jones,
	Sam^{ll} Carpenter,	John Cann,
	Joseph Growdon,	Sam^{ll} Richardson,
	Wm. Yardley,	Wm. Markham, Secre.
	Barth. Coppock,	

Adjourned till 9 to morrow in forenoon.

At a Meeting of the Councill in the Councill Roome the 3^{d} of y^{e} 2^{d} Mo., 1688.

PRESENT:

Councillors.	1. Thomas Lloyd,	Dep^{ty} Gov^{r}.
	2.	
	3. John Symcock,	
	4. Arth. Cook,	
	5. John Eckley.	
Councill^{rs}.	Griffith Jones,	John Cann,
	Pet^{r} Alrichs,	Barth. Coppock,
	John Bristow,	Sam^{ll} Richardson,
	Wm. Yardley,	Joseph Growdon,
	Sam^{ll} Carpenter,	Wm. Markham, Secre.

Severall Petition were Read from y^{e} Inhabitants of their Respective Counties, Requesting y^{e} Prohibiting y^{e} Exportation of Dear skins. They were Referred to the Consideration of a Comittee.

Severall Orders of y^{e} Last Legislative Councill were Read.

The Comittee appoynted are Sam^{ll} Carpenter, John Bristow, Joseph Growdon, John Cann & Griffith Jones.

Adjourned till 10 to morrow forenoon.

At a Meeting of the Councill in the Councill Roome in Philadelphia y^{e} 4th of y^{e} 2^{d} Mo., 1688.

PRESENT:

Councillors.	1. Thomas Lloyd,	Dep^{ty} Gov^{r}.
	2.	
	3. John Symcock,	
	4. Arthur Cook,	
	5. John Eckley.	
Councill^{rs}.	John Cann,	Wm. Yardley,
	Pet Alrichs,	Barth Coppock,
	Sam^{ll} Richardson,	Sam^{ll} Carpenter,
	John Bristow,	Griff. Jones,
	Joseph Growdon,	Wm. Markham, Secre.

The Comittee appoynted yesterday, brought to this board their transactions, w^{ch} were Read & ffyled.

The board debated upon severall of y^{e} Propositions y^{e} Comittee presented.

Adjourned till 3 in the afternoon.

POST MERIDIEM.

PRESENT:

Councill^{rs}.
1. Thomas Lloyd,
2.
3. John Symcock,
4. Arthur Cook,
5. John Eckley.
Dep^{ty} Gov^{r}.

Councill^{rs}.
John Bristow,
Joseph Growdon,
Sam^{ll} Richardson,
Sam^{ll} Carpenter,
Wm. Yardley,
John Cann,
Pet^{r} Alrichs,
Barth. Coppock,
Griffith Jones,
Wm. Markham, Secre.

The Debate w^{ch} began in y^{e} forenoon Continued. The Comittee was appoynted to draw up some bills in order to promulgation.

Adjourned till 9 to morrow in y^{e} forenoon.

At a Meeting of the Councill in the Councill Room at Philadelphia y^{e} 5th of y^{e} 2^{d} Mo., 1688.

PRESENT:

Councill^{rs}.
1. Thomas Lloyd,
2. Rob^{t} Turner,
3. John Symcock,
4. Arthur Cook,
5. John Eckley.
Dep^{ty} Gov^{r}.

Councill^{rs}.
Sam^{ll} Richardson,
Peter Alrichs,
Wm. Yardley,
John Cann,
Sam^{ll} Carpenter,
Barth. Coppock,
Griffith Jones,
John Bristow,
Joseph Growdon,
Wm. Markham, Secre.

The Comittee brought in severall Bills Drawne up, y^{e} w^{ch} were Debated, and that they may be in a more Exact forme, they were Recomended to y^{e} Care of John Cann, Sam^{ll} Carpenter & Jos. Growdon, as a Comittee, with y^{e} Atturney Gen^{ll} to assist them.

Adjourned till 7 To morrow morning.

At a Meeting of the Councill in the Councill Room In Philadelphia ye 6th of ye 2d Mo., 1688.

PRESENT:

Councillrs.
1.
2. Robt Turner,
3. John Symcock,
4. Arth. Cook,
5. John Eckley.
Depty Govr.

Councillrs.
Samll Carpenter.
Griffith Jones,
Jno. Bristow,
Samll Richardson,
Barth. Coppock,
Jno. Cann,
Petr Alrichs,
Wm. Yardley,
Joseph Growdon,
Wm. Markham, Secre.

The Proposalls made to this board were severally Debated, as followeth:

1st. About fferrys. It is Referred to ye Law in yt Case made.

2dly. About Provision for ye Poor.

Resolved, ye County Courts not having sufficient Power, notwithstanding ye 126 Law, to Raise money for a Stock to Defray necessary Charges of their Respective Counties, it is therefore ordd by ye Govr and Councill, thatt a bill be prepared to Enable them to Raise ye same according to their discrestions, by wch means ye 32d Law will be supplyed.

3dly. About Selling of Rum to ye Indians. Orded yt ye Magestrates be Reminded to put ye 15th Law in Execution, both in ye Province & Territorys.

4thly. After a Considerable Time taken up in Debate about This proposition, it was put by.

Adjourned till 2 in ye Afternoon.

POST MERIDIEM.

PRESENT:

Councillrs.
1. Thomas Lloyd,
2. Robt Turner,
3. John Symcock,
4. Arthur Cook,
5. John Eckley.
Depty Govr.

Councillrs.
Samll Carpenter,
Samll Richardson,
Peter Alrichs,
John Cann,
Wm. Yardley,
Griffith Jones,
John Bristow,
Barth. Coppock,
Jos. Growdon,
Wm. Markham, Secre.

5thly. About Killing of Wolves.

Resolved, yt ye Govr and Councill, when desired by ye Respective Magestrates of any Court, will grant their Order for ye Incourageing ye Indians to ye Destroying of Wolves beyond ye provision made by Law.

6thly. About y^{e} Strengthning the 169 Law about y^{e} Transportation of Dear Skins. Ord^{ed} a Bill be prepared for y^{e} same.

Adjourned till 7 To morrow morning.

At a Meeting of the Councill in the Councill Roome in Philadelphia y^{e} 7th of y^{e} 2^{d} Mo., 1688.

PRESENT:

Councill^{rs}.	1. Thomas Lloyd, 2. 3. John Symcock, 4. Arthur Cook, 5. John Eckley.	Dep^{ty} Gov^{r}.
Councillors.	Wm. Yardley, John Bristow, Sam^{ll} Carpenter, John Cann, Barth. Coppock,	Joseph Growden, Sam^{ll} Richardson, Griffith Jones, Peter Alrichs, Wm. Markham, Secre.

The Gov^{r} of New York's Letter Directed to y^{e} President & Councill, bearing date y^{e} 30th of March, 1688, with y^{e} Coppy of y^{e} King's Ord^{r} directed to y^{e} Said Gov^{r}, were both Read at this Board: it was Recomended to y^{e} Members of Councill to give their Oppinion thereon.

A bill for Enabling Widdows and Administrators of Intestates, with approbations of y^{e} Councill, &c. to dispose of part of y^{e} Intestate's Lands towards y^{e} Defraying of Just Debts, Towards y^{e} Education of Children and support of y^{e} Widdows, &c. was y^{e} first time Read.

A bill for y^{e} prohibiting y^{e} Exportation of Dear Skins undressed, wthout Certificate, as in y^{e} 169 Law, and drest in no wise, was y^{e} first time Read.

Adjourned for an Hour.

POST MERIDIEM, the 7th of y^{e} 2^{d} Mo., 1688.

PRESENT:

Councillors.	1. Thomas Lloyd, 2. Rob^{t}. Turner, 3. John Symcock, 4. Arthur Cook, 5. John Eckley.	Dep^{ty} Gov^{r}.
Councillors.	Wm. Yardley, P^{r} Alrichs, John Cann, Barth. Coppock, Joseph Growdon,	Griffith Jones, Sam^{ll} Richardson, Sam^{ll} Carpenter, Wm. Markham, Secre.

The Petition of Thomas Woollaston was Read, Requesting relief ag^{t} Gramton for not obeying y^{e} Decree of y^{e} Prov^{ll} Judges, and forceably Entred into his house, & Driven his Cattle off of his Land.

The Deposition of James Read, taken before Cornelius Empson, justice of ye Peace, (wth[*] witnesseth yt Thomas Woolaston tendered pay to John Gramton, according to ye Judge's Decretall Order,) was Read.

A Certificate was Read, signed by John Richardson, Hen. Hollingsworth & David Richardson, Certifying yt ye said Woollaston had at fernhook two Cows, one Bull, one horse, Bridle and Saddle, valued by them at Eighteen pounds, wch was tendered for ye satisficing of John Gramton, according to ye Provll Judge's Decree. The Judge's Decree aforesaid was Read.

The whole Matter in Difference between Thom. Woollaston and Jno. Granton, as a fore said, is by Ordr of this board Referred to ye Determination of the Judges at ye next Provll Court, and notice to be sent to John Granton to appear there.

The Petition of Wm. Guest agt ye Sheriff of New Castle County was Read. John Cann accomodated ye Difference.

Mordica Howell's Petition was Read, Craveing an Ordr for a Speciall Court: he was Referred to ye County Court.

The Petition of James Fox in ye behalfe of ye Plymouth friends was Read, Requesting ye Confirmation of yt Road to ye Plymouth Townshipp, wch was Laid out by an Ordr from this board. Orded that it shall Continue till altered by the Govr & Councill.

The Petition of ye Inhabitants of at ye Center of Philadelphia, Requesting yr fayr to be Kept there. Answered the next fayr will be granted to be kept at ye Center.

Adjourned till ye 9th Inst, 9 in ye forenoon.

At a Meeting of the Councill in ye Councill Room at Philadelphia ye 9th of ye 2d Mo., 1688.

PRESENT:

Councilrs.
1.
2. Robt Turner,
3. John Symcock,
4. Arth. Cook,
5. John Eckley.
Depty Govr.

Councillrs.
Samll Richardson, Peter Alrichs,
John Cann, Samll Carpenter,
Joseph Growdon, John Bristow,
Griffith Jones, Barth. Coppock,
Wm. Yardley, Wm. Markham, Secre.

The Petition of Henry Stretcher was Read, Requesting Relief agt ye Severe sentence of ye County Court of Sussex agt him in an action of

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[*] Evidently wch.

Slander, wherein Wm. Clark was Plantive agt him; the proceedings of ye County Court was likewise Read.

Ordered that an Ordr be sent to ye Sheriff of Sussex County to suspend ye whipping of Henry Stretcher, wch was part of the Sentence, untill ye first day of ye 4th Mo., next.

Adjourned for an hour and halfe.

POST MERIDIEM.

PRESENT:

Councillors.
1. Thomas Lloyd,
2. Robt Turner,
3. Arthur Cook,
4. John Symcock,
5. John Eckley.
Depty Govr.

Samll Richardson,
Peter Aldrichs,
John Cann,
Wm. Yardley,
Samll Carpenter,
Joseph Growdon,
Griffith Jones,
John Bristow,
Barth. Coppock,
Wm. Markham, Secre.

The bill for Enabling Widdows of Intestates to Dispose of Lands was Read, with approbation, the second time.

The Bill prohibiting ye Exportation of Deer Skins, &c. was Read ye Second time.

The Bill for Continuing of ye former Laws was Read ye first time.

The Bill for Sale of Lands upon Execution to pay debts, being Explanatory and additionall to a former Law made at Upland, wherin Land were made Lyable to pay debts, Read ye first time.

The Presidt was desired as being Mr of ye Rolls, that a bill might be prepared for ye Indemnificing of Gifts, Grants, & Conveyances of Land, and other writings wch were un recorded, or not Recorded according to Law, and that all bills and bonds may be free for ye future that is under ye penalty of that Law.

Adjourned till 7 to morrow morning.

At a Meeting of the Councill in the Councill Room at Philadelphia ye 10th of ye 2d month, 1688.

PRESENT:

Councillors.
1. Thomas Lloyd
2. Robert Turner,
3. John Symcock,
4. Arthur Cook,
5. John Eckley.
Depty Govr.

Samll Carpenter,
Samll Richardson,
John Cann,
Joseph Growdon,
Wm. Yardley,
Barth. Coppock,
Griffith Jones,
Jno. Bristow,
Peter Alrichs,
Wm. Markham, Secre.

The President brought in a bill to this board for y^e Indemnyfieing y^e non and undue Recording of Gifts, grants and Conveyances, &c., wth y^e Exception Desired. Read y^e first time.

The bill of Supply was y^e first time Read.

The Returne of y^e members for Sussex County was Read and allowed, but it being Sent by water mist its being here in Due time.

Adjourned till two in the afternoon.

POST MERIDIEM.

PRESENT:

Councillors.

1. Thomas Lloyd,
2. Robert Turner,
3. John Symcock,
4. Arthur Cook,
5. John Eckley.

Dep^{ty} Gov^r.

Joseph Growdon,
Wm. Yardley,
John Bristow,
Griffith Jones,
Barth. Coppock.
Sam^{ll} Carpenter,
John Cann,
Sam^{ll} Richardson,
Peter Alrichs,
Wm. Markham, Secre.

The bill for Continuing y^e former Laws a second time Read.

The bill for Enabling Widdows of Intestates to sell land, &c. Read a Second time.

The Bill for making Lands Lyable to pay debts was Read a second time.

The bill for Intrest read y^e first time.

Adjourned till two in y^e Afternoon to morrow.

At a Meeting of y^e Councill in the Councill Room at Philadelphia y^e 11th of y^e 2^d month, 1688.

PRESENT:

Councillors.

1. Thomas Lloyd,
2. Rob^t Turner,
3. John Symcock,
4. Arthur Cook,
5. John Eckley.

Dep^{ty} Gov^r.

Wm. Yardley,
Sam^{ll} Richardson,
Barth. Coppock,
Sam^{ll} Carpenter,
Joseph Growdon,
John Cann,
Pet^r Alrichs,
John Bristow,
Griffith Jones,
Wm. Markham, Secre.

The Petition of Abrah. Man was Read, requesting y^e Gov^r and Councill to Order him a Rehearing in y^e County of New Castle, of y^e Actions in w^{ch} Judgment passed against him in his absence, he being out of y^e Government and knew not of their Comencement. The Justices of y^e Said County at his Returne had granted him an appeal to ye Provll Court, but ye Judges therof not thinking it Came Regularly before them, Refused the hearing of it.

The bill for Supply was Read a Second time.

The bill about Intrest was Read a Second time.

The bill about ye Records was Read a Second time.

The Bill for Prohibitting ye Exportation of Deer Skins was Read a Second time.

Adjourned till to morrow morning.

At a Meeting of the Councill in the Councill Room In Philadelphia ye 12th of ye Second Mo., 1688.

PRESENT:

Councillors.
1. Thomas Lloyd,
2. Robt Turner,
3. John Symcock,
4. Arthur Cook,
5. John Eckley.
Depty Govr.

Samll Richardson, Griffith Jones, Petr Alrichs,
John Bristow, Samll Carpenter, Wm. Markham, Secre.
Barth. Coppock, Wm. Yardley,

Abraham Man further Complayning of ye Sevear and Irregular proceedings of ye County Court of New Castle, by a Judgmt unduly obtained against him in his absence, upon ye Plaint of Alderman Ridges, by Samll Jennings, his atturney, and without defence made in his behalfe.

The Govr and Councill upon full hearing of this matter, have ordeined yt ye same Cause of action be heard over, and Determined according to Law, at ye next Provll Court in Philadelphia, to be held ye 24th of ye next 7th month.

It is Ordered likewise, that ye Cause of Action or Difference between Abrah. Man and Wm. Guest, and for wch ye said Wm. Guest obteined Judgmt lately in ye County Court of New Castle, and Execution thereupon against ye Said Abrah. Man, he being neither present, nor Deffence made in his behalfe, that ye same be heard and Tryed in ye said County Court; The Second Court next Ensuing ye date hereoff.

1. The Bill for Continuance of former Laws.

2. The Bill for Enabling of Widdows of Intestates to sell Land.

3. The Bill prohibiting ye Exportation of Deer Skins before being Exposed to Sale.

4. The Bill to make Lands layable to pay Debts.

5. The Bill for Legall Intrest.

6. The Bill about Records.

7. The Bill for Supply.

The afore named seven Bills were the third time Read and unanimously passed, in Order for promulgation.

Adjourned till further Order.

At a Meeting of the Councill in the Councill Room in Philadelphia y^{e} 10th 3^{d} month, 1688.

PRESENT:

Councillors.
1. Thomas Lloyd,
2. Rob^{t} Turner,
3. John Symcock,
4. Arthur Cook,
5. John Eckley,

Dep^{ty} Gov^{r}.

Wm. Clark,
Jos. Growdon,
Sam^{ll} Carpenter,
Johanes D'Haes,
Barth. Coppock,
John Bristow,
Wm. Darvall,
John Cann,
Sam^{ll} Richardson,
Luke Watson,
Wm. Markham, Secre.

Johannes D'Haes, who was Chosen a Member of Councill y^{e} last Election, for y^{e} County of New Castle, presented himselfe to this board, was attested, & took his Place.

Luke Watson, who was y^{e} Last Election Chosen and Returned a Member of this board, but lying under a great Scandall & Infamous Reputation, was not admitted to sitt at this board untill he had Cleared himselfe thereoff, This day brought Certificate thereoff, w^{ch} was by y^{e} board sufficient, and thereupon was attested, and took his place.

A Comittee was appoynted to Receive proposalls for amendments upon y^{e} bills. The persons Were: Sam^{ll} Carpenter, Sam^{ll} Richardson, Wm. Clark, Wm. Darvall, John Bristow, Wm. Markham.

Adjourned till y^{e} 12th Inst^{t}, 7 in y^{e} morning.

At a Meeting of the Councill in the Councill Room In Philadelphia the 12th of y^{e} 3^{d} Mo., 1688.

PRESENT:

Councillors.
1.
2. Rob^{t} Turner,
3. John Symcock,
4. Arth. Cook,
5. John Eckley.

Dep^{ty} Gov^{r}.

Joseph Growdon,
Wm. Darvall,
Joha. D'Haes,
Barth. Coppock,
Sam^{ll} Carpenter,
Luke Watson,
John Bristow,
Wm. Clark,
John Cann,
Sam^{ll} Richardson,
Wm. Markham, Secre.

The Petition of Moses Aboab was Read, Complayning against John Day for Selling a Servant who now works at y^{e} hoaw in y^{e} Lower Countyes, and with whome y^{e} said John Day had of his father in London, tenn Guinnies to teach him y^{e} trade of a Carpenter, and besides, y^{e} father paid for y^{e} said Servant's passage to Pennsilvania.

Ord^{ed} that John Day appear at this board to answer y^{e} Complaint above going, y^e next second day, w^{ch} will be y^e 14th Inst., or at y^e next Sitting of the Councill.

Adjourned till two in y^e Afternoon.

POST MERIDIEM.

PRESENT:

Councillors.
1. Thomas Lloyd, Dep^{ty} Gov^r.
2. Rob^t Turner,
3. John Symcock,
4. Arthur Cook,
5. John Eckley.

Wm. Clark,
Sam^{ll} Richardson,
Joseph Growdon,
Barth. Coppock,
Johanes D'Haes,
Luke Watson,
John Cann,
Sam^{ll} Carpenter,
Wm. Darvall,
John Bristow,
Wm. Markham, Secre.

The Comittee presented to this board three bills w^{ch} was brought to them from y^e Assembly, with their Amendments thereon, (Viz^t:) The Bill for Continuance of y^e Laws: y^e Bill Enabling Widdows to Sell Land, &c. The bill for 8 per cent. for a year's forbearance of money or goods.

Adjourned till y^e 14th Ins^t, forenoon.

At a Meeting of the Councill in the Councill Roome in Philadelphia y^e 14th of y^e 3^d Mo., 1688.

PRESENT:

Councillors.
1. Thomas Lloyd, Dep^{ty} Gov^r.
2. Rob^t Turner,
3. John Symcock,
4. Arthur Cook,
5. John Eckley.

Wm. Clark,
Wm. Darvall,
Luke Watson,
Joha. D'Haes,
Sam^{ll} Carpenter,
Sam^{ll} Richardson,
Jos. Growdon,
Barth. Coppock,
Wm. Markham, Secre.

Two bills, with their Amendments, were brought from y^e Assembly by Two of their members; one was to make land Lyable to pay debts, y^e other about Recording deeds in y^e Rolls Office.

Adjourned till 3 in y^e Afternoon.

POST MERIDIEM.

PRESENT:

Councill^{rs}.
1. Thomas Lloyd, Dep^{ty} Gov^r.
2. Rob^t Turner,
3. John Symcock,
4. Arthur Cook,
5. John Eckley.

Wm. Clark,
Sam^{ll} Richardson,
Barth. Coppock,
John Bristow,
Sam^{ll} Carpenter,
Luke Watson,
Wm. Darvall,
Johan. D'Haes,
Wm. Markham, Secre.

Two members from y^e Assembly Came to y^e Councill with this Message. That y^e Assembly Requested y^t a Certaine number of them in behalfe of y^e whole, might have y^e previlege to Confer with y^e Councill about some affaires.

Answered: That they might Come if they pleased, but first they should acquaint y^e Gov^r and Councill of their business before they Can be admitted to a Conferrance.

The Assembly Came with their Speaker, and was admitted: the Conferrence was Chiefly about their priviliges.

Adjourned till 7 to morrow morning.

At a Meeting of the Councill in the Councill Room In Philadelphia y^e 15th of y^e 3^d month, 1688.

PRESENT:

Councillors.
1. Thomas Lloyd,
2. Rob^t Turner,
3. John Symcock,
4. Arthur Cook,
5. John Eckley.

Dep^{ty} Gov^r.

Wm. Clark,
Wm. Darvall,
Jos. Growdon,
Barth. Coppock,
Sam^{ll} Richardson,
Johan. D'Haes,
Luke Watson,
Sam^{ll} Carpenter,
John Bristow,
Wm. Markham, Secre.

The Petition of Luke Watson was Read, against Henry Bowman, Ranger of y^e County of Kent, for his Killing y^e said Watson's Hoggs, pretending they were Strays.

Adjourned to the Meeting house.

At a Meeting of the Councill in The Meeting house in Philadelphia.

After Debateing with and Convincing y^e Assembly w^{ch} Came to the Councill of their Irregular proceedings in severall matters, as their Charge against the Judges upon a Decree in y^e Case of Gramton & Woolaston, as also their Complaint against John Bristow, &c. The Councill adjourned to meet againe in an houre, in y^e Councill Room.

The Councill Mett accordingly.

A Summons was sent Directed to Thomas Clyfford, Messenger, for the Summonsing y^e Subscribers of a Contemptuous Printing paper touching y^{e} Keeping of y^{e} fair at y^{e} Center, where it was Ordered by y^{e} Gov^{r} and Councill to be Kept.

The Petition of Peter Gronendike was Read, setting forth his trouble in the mannagement of the Estate of Cornelius Verhoofe, Deceased, as his Executor, begging Relief therein.

Adjourned till Six to morrow morning.

At a Meeting of the Councill in the Councill Roome in Philadelphia y^{e} 16th of y^{e} 3^{d} month, 1688.

PRESENT:

Councillors.

1. Thomas Lloyd,
2. Rob^{t} Turner,
3. John Symcock,
4. Arth. Cook,
5. John Eckley.

Dep^{ty} Gov^{r}.

Wm. Clark,
Sam^{ll} Richardson,
Johan. D'Haes,
Barth. Coppock,
Luke Watson,
Wm. Darvall,
John Bristow,
Sam^{ll} Carpenter,
Wm. Markham, Secre.

The Returne of y^{e} Warr^{t} granted yesterday for y^{e} Summonsing the subscribers of y^{e} Contemptuous printed advertisem^{t} against Keeping y^{e} fayre at y^{e} Center, was made by the Messenger, and he attested that they were all and Each of them Summonsed, Severall of y^{e} Subscribers Excusing themselves.

The Dep^{ty} Gov^{r} & Councill, after Reproveing them, did pardon all those who subscribed to what was Endorsed on y^{e} back of one of y^{e} printer papers.

Adjourned till to morrow, 7 in y^{e} forenoon.

At a Meeting of the Councill in the Councill Room at Philadelphia y^{e} 17th 3^{d} Mo., 1688.

PRESENT:

Councillors.

1. Tho. Lloyd,
2.
3. John Symcock,
4. Arth. Cook,
5. John Eckley.

Dep^{ty} Gov^{r}.

Wm. Darvall,
Sam^{ll} Richardson,
Joseph Growdon,
Johan D'Haes,
Luke Watson,
Sam^{ll} Carpenter,
Wm. Yardley,
Wm. Markham, Secre.

Severall Petitions were Read this forenoon, and answers given to them.

Adjourned till two in the afternoon.

POST MERIDIEM.

PRESENT:

Councillors.
1. Thomas Lloyd,
2.
3. John Symcock,
4. Arth. Cook,
5. John Eckley.
Depty Govr.

Wm. Darvall,	Johan. D'Haes,	Wm. Yardley,
Samll Richardson,	Luke Watson,	Peter Alrichs,
Joseph Growdon,	Samll Carpenter,	Wm. Markham, Secre.

The Assembly having two bills yett not Returned to this board, and the board Resolving to give no answer to any of their amendments untill they saw what would become of ye other two,

Adjourned till 7 to morrow morning.

At a Meeting of the Councill in the Councill Room in Philadelphia the 18th of ye 3d Mo., 1688.

PRESENT:

Councillors.
1. Tho. Lloyd,
2. Robt Turner,
3. John Symcock,
4. Arth. Cook,
5. John Eckley.
Depty Govr.

Wm. Clark,	Samll Carpenter,	Wm. Yardley,
Sam Richardson,	Barth. Coppock,	John Bristow,
Griffith Jones,	Joseph Growdon,	Peter Alrichs,
Wm. Darvall,	Johannes D'Haes,	Wm. Markham, Secy.
Luke Watson,		

The Govr and Councill finding ye fayr at Philadelphia happens to be, as now held, on ye Latter days of ye Sitting of ye Genll Assembly, which much Impedes the publick buisness of the Government, It is therefore Ordered by ye Depty Govr and Councill, that hereafter it shall be Kept on ye 20th day of ye 3d month.

And it is further Ordered yt an Additionall fayr be Kept at Philadelphia at ye Center, to be held ye 30th day of ye next Sixth month.

Adjourned till 6th to morrow morning.

At a Meeting of the Councill in The Councill Room at Philadelphia y^{e} 19th of y^{e} 3^{d} Mo., 1688.

PRESENT:

Councillors.
1. Thomas Lloyd,
2. Rob^{t} Turner,
3. John Symcock,
4. Arthur Cook,
5. John Eckley.

Dep^{ty} Gov^{r}.

Wm. Clark,
Wm. Darvall,
Pet^{r} Aldrichs,
Jos. Growdon,
Wm. Yardley,
John Bristow,
Sam^{ll} Richardson,
Luke Watson,
Barth. Coppock,
Sam^{ll} Carpenter,
Wm. Markham, Secre.

John White & Thomas Wynn Came to this board from y^{e} Assembly, and proposed in their names, and as y^{e} Sense of y^{e} whole Assembly, That Six parts of Seaven of y^{e} Gen^{ll} Assembly agreeing upon a Supply, That such Sanction and Establishment may be as Effectuall and binding as any Law in that Case, notwithstanding no previous bill prepared or promulgated for y^{e} same.

As to y^{e} Request of y^{e} Assembly for Releif of Grievances, The Answer of this board is, y^{t} the Gov^{r} and Councill will take all possible Care to prevent such for y^{e} future.

Adjourned to y^{e} Meeting house.

IN THE MEETING HOUSE, whether y^{e} Councill did adjourn.

After y^{e} Reading of y^{e} Bill, with their Amendments, Viz^{t}: the bill for Continuance of y^{e} Laws; The Bill Enabling Widdows to sell Land; The Bill for Eight per centum for years forbearance of money or goods; a Bill for Land to pay debts; a Bill about Recording of Deeds in y^{e} Rolls Office. These five were passed into Laws. The Other two, Viz^{t}: y^{e} Supply, & that about Transporting of Deer Skins, were Rejected, After w^{ch} the Assembly Dismissed, and Then

The Councill adjourned back to the Councill Roome, Where

The Petition of Luke Watson was a second time Read, Complayning against Henry Bowman, the Proprietary's Ranger, for Killing y^{e} said Luke Watson's Hoggs, under pretence of Strays.

The Proceedings of y^{e} County Court of Sussex was Read, wherin Luke Watson had Indicted y^{e} said Henry Bowman for Killing y^{e} aforesaid Hoggs.

Luke Watson and Tho. Wynn pleaded against y^{e} Ranger.

The Renger being demanded to Reply to their accusation, made answer that he had had his Tryall, and had been Cleared by y^{e} County of what was Alliged against him here, & therefore thought himselfe not obliged to answer any more to it; Yett if y^{e} Gov^{r} and Councill thought fitt to ask him any questions Relating to it, he would, if he Could, Resolve Them.

Vpon The Reading of y^{e} Petition of John Richardson, in y^{e} Behalf of his Sister Judith Roe, who had Sentence of Death passed upon her y^{e} beginning of this Mo. in a Prov^{ll} Court held in Kent County, Humbly beseaching that y^{e} Gov^{r} would be pleased to grant y^{e} said Judith Roe a Reprieve.

It was Ordered that a Warrant should be sent to y^{e} Sherriff to Suspend her Execution till further Order.

Adjourned till further Order.

At a Meeting of y^{e} Deputy Gov^{r} & Councill In the Councill Room at Philadelphia y^{e} 24th of the 7th month, 1688.

PRESENT:

Councill^{rs}.	Rob^{t} Turner, John Symcock, John Eckley.	Dep^{ty} Gov^{r}.
John Bristow, Barth. Coppock,	Sam^{ll} Richardson, Sam^{ll} Carpenter,	Wm. Markham, Secre.

The Election of Prov^{ll} Judges w^{ch} by Law were this day to Keep Court at Philadelphia, was Debated, & having Considered y^{t} the Broad Seal was by Custome to be affixed to the Comission, and y^{t} y^{e} time would be Relapted before the Comission Could be Sealed, and y^{e} Court opened, they Thought it more safe not to Comissionate any rather than to doe it after y^{e} time appoynted by Law for y^{e} Courts Sitting was past.

Adjourned till tenn to-morrow morning.

At a Meeting of the Deputy Gov^{r} and Councill in the Councill Room at Philadelphia The 25th of y^{e} 7th month, 1688.

PRESENT:

Councillors.	Rob^{t} Turner, John Symcock, John Eckley.	Dep^{ty} Gov^{r}.
John Bristow, Barth. Coppock,	Sam^{ll} Carpenter, Sam^{ll} Richardson,	Wm. Markham, Secre.

Margarett ffisher, Widdow, of y^{e} County of Sussex, Complayning that shee having appealed from y^{e} Judgment of y^{e} County Court of Sussex, where shee had Indicted one John Barker of y^{e} said County, for robing her and her son Thomas ffisher of three head of Cattle, and that shee was Come up according to her Security Given, to have it reheard in y^{e} Prov^{ll} Court, but y^{e} Court not sitting, nor y^{e} said Barker appearing in Philadelphia, She very much feared y^{t} Said Barker would, before y^{e} next Prov^{ll} Court, make away with y^{e} said Cattle.

Ordered that y^{e} Secretary Send to y^{e} Justices of Sussex County, in behalfe of Widdow ffisher, y^{t} they doe her what right y^{e} Law will allow to Secure the Cattle or the value, till it be reheard next Prov^{ll} Court, in Regard there were no Court at this time.

After that John Symcock, one of y^{e} Com^{rs} of State, was gon, the Petition of Henry Bowman was Read, setting forth y^{e} hard usage of y^{e} County Court of Sussex against him, wherein he was Indicted for takeing one hundred & fifty peeces of Eight from one Stephen Page, under pretence of his authority as being a Justice of the Peace, and after y^{e} Court had given Judgm^{t}, they said Bowman, whereupon y^{e} Said Bowman Requested y^{e} Court to grant him an appeal to the Prov^{ll} Court, but the Court Refused to grant it; Therefore, humbly Requests this board to grant him an Order for an Appeal, or for a Rehearing of y^{e} Cause in the same Court it was before tryed in.

The present Members takeing it into Consideration, and in regard they had not a sufficient number to make a Quorum, whereby to Draw a possitive Order thereon, Did therefore agree that their advice in this matter may be writt to y^{e} Justices of Sussex County, according to their Opinions, w^{ch} was y^{t} they ought to have granted him an Appeal, and that they Suspend the Execution of their Sentence till they hear further from this board.

Ord^{ed} That a Coppy of the Laws past the Last Gen^{ll} Assembly be forthwith sent to y^{e} Clarks of y^{e} Respective Counties, in Order to their publication.

Ord^{ed} That two Comissions be drawne for Coroners, one for George White, for y^{e} County of Bucks, an other for Thomas ffitzwater, for the County of Philadelphia.

The Petition of Sam^{ll} Burbury was Read, Requesting y^{e} Office of Sherriff of Kent County, but y^{e} board thought him not Capable.

Ordered That y^{e} Secretary take sufficient Security of y^{e} Last Sherriff, Comissionated for y^{e} true performance of his Office.

Adjourned till further Order.

At a Meeting of the Deputy Govern^{r} and Provinciall Councill in the Councill Room at Philadelphia the 18th of the Tenth Mo., 1688.

PRESENT:

Councill^{rs}.	Tho. Lloyd, Rob^{t} Turner, Arthur Cook, John Eckley.	Dep^{ty} Gov^{r}.
John Bristow,	Sam^{ll} Carpenter,	Sam^{ll} Richardson,
Joseph Growdon,	Griffith Jones,	Wm. Markham, Secre.

The Dep^{ty} Gov^{r} and Councill having Yesterday Notice of the Arrivall here of Capt. John Blackwell, with a Comission for his being Governour of this Province and Counties annexed, from the Proprietor and Gov^{r}, They mett this fforenoon to give him y^{e} opportunity of

Communicating y^{e} Same to them, the which being don, and y^{e} Commission Read, it was unanimously acquiesced with.

MINUTES OF COUNCILL.

COMENCING DECEMBER y^{e} 18th 1688.

At a Councill Then in y^{e} Councill room at Philadelphia.

PRESENT:

Capt. JOHN BLACKWELL, Gover^{r}.

Members of Councill.	Rob^{t} Turner, John Bristow, Jos. Growdon, Arth. Cook,	Sam^{ll} Carpenter, Grif. Jones, Sam^{ll} Richardson, Wm. Markham, Sec^{ry}.

An Order from y^{e} Councill Chamber at Whitehall was Read, bearing date y^{e} 10th day of June, 1688, directed to y^{e} Proprietor & Gover^{r}, willing & Requiring that Proclamation be made throughout his Governm^{t} to appoynt dayes for Solemn thanksgiving to Almighty God, and other Publick Rejoycing, ffor his Inestimable blessing to his Maj^{ts} Kingdoms and Dominions, by y^{e} birth of a Prince.

It was Ordered that Proclamation be forthwith Issued out to Each County within this Governm^{t} for y^{e} same, and that The day of Solemnisation for The County of Philadelphia be on y^{e} 26th Ins^{t}, and in y^{e} Countys of Bucks, Chester, New Castle, Kent & Sussex, vpon y^{e} next ffirst day of y^{e} Week after y^{e} Publication, provided y^{e} said Publication be Three days before the Solemnisation.

Order'd that y^{e} King's Proclamation For The more Effectuall Reducing & Suppressing of Pirates and Privateers in America, bearing Date at Whitehall, y^{e} 20th day of January, 1687–8, be forthwith published.

Adjourned Till ffurther Order.

At The Councill-room in Philadelphia The 11th of y^{e} 11th Mo., 1688–9.

The Gover^{r} having given order for y^{e} Councill to meet this day, There mett as ffolloweth:

JOHN BLACKWELL, Esq^{r}. Gov^{r}.

Wm. Darvall,
Grif. Jones,
Sam^{ll} Richardson,
Sam^{ll} Carpenter,
Wm. Markham, Sec^{ry}.

The w^{ch} number not being Sufficient to proceed vpon business, The Governour Appoynted the 14th Ins^{t}. at 9 in y^{e} fforenoon, for their Meeting, and in y^{e} meantime, that notice be given to as many of The Members as possible, that there may be then a Sufficient number for a Quorum.

At a Meeting of The Councill in the Councill-room at Philadelphia, y^{e} 14th of y^{e} 11th Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esq^{r}., Gover^{r}.

Rob^{t} Turner,
Sam^{ll} Carpenter,
Sam^{ll} Richardson,
Grif. Jones,
Wm. Darvall,
Wm. Markham, Sec^{ry}.

The Gover^{r} Inquires for y^{e} blank Parchments, signed by y^{e} Chieff Proprietor & Gover^{r}, and sent to y^{e} Presid^{t} and members of y^{e} Provinciall Councill, in a Letter bearing date y^{e} 16th day of y^{e} Sixth Mo., 1684, for drawing vp an Instrument by w^{ch} to Confirme & make as valid all Pattents and Commissions that ought to be vnder y^{e} Great Seal, as Lands, &c.; Impowring of Thomas Lloyd Keeper of y^{e} Broad Seal, to putt y^{e} said seal to it in their presence, &c., and what has been don therevpon.

It was vpon Debate of y^{e} Question, resolved and Ordered That Sam^{ll} Carpenter & Wm. Markham wayte on y^{e} said Thomas Lloyd, to Inquire after y^{e} aforesaid Blank Parchment, w^{ch} was said to have been Delivered to him, and if the same were in his Possession, to Desire he will by Them send, or if he please, bring it to this board at their next sitting, appoynted on y^{e} next 5th day of This week, at Tenn of y^{e} Clock in y^{e} fforenoon; and if he hath it not, to Desire he will Informe them where and in whose hands y^{e} same is, and who last had it ffrom him.

Vppon y^{e} Gover^{rs} Reading a Coppy of a Lett^{r} ffrom y^{e} Chief Proprietor & Gover^{r}, bearing date y^{e} 6th of y^{e} 4th Mo., 1687, Directed to y^{e} 5 Commiss^{rs} of State, wherein the Chieff Proprietor & Gov^{r} acquainted them that he had little more to say to them then he had Communcated of his mind already in a former Lett^{r} by Ew^{d} Blackfan, w^{ch} Implyed the same Conteined matter of Publick Instruction to y^{e} said Commiss^{rs}.

The Gover^{r} moved This board to give Their advice whether it was not necessary y^{e} said Lett^{r} sent by Blackfan, should be produced to him, he being Referred by his Commission to y^{e} Instructions and

Lettrs sent both to ye Presidt & Councill, and to ye 5 Commissrs of State. It was vpon ye Question, Resolved and ordered that ye aforegoing minute touching the same, be given Likewise in Charge to Samll Carpenter & Wm. Markham, to acquaint ye said Thomas Lloyd therewith, and to Desire if he hath that Lettr he will be pleased to Impart it to ye Goverr, or if he have it not, that he will Informe in whose hands it is.

The Goverr moves ye Councill for their advice and Direction whether all originall Letters & Instructions Relateing to ye Governmt, Sent by ye Chieff Proprr and Goverr, Either to ye Commissrs of State, or to ye Presidt and Provinciall Councill, in whose hands soever they Ly, ought not to be delivered into ye Custody of ye Secretary: and also, that such parts of other Letters to any of Them as Concerne matter of Instruction as aforesaid, be transcribed and Attested by ye ffirst Commissr of State therein named, or by ye Presidt, to ye Provll Councill respectively, and Delivered to ye Secretary, to Remaine in his Office ffor Publick Direction, ye Secretary giveing Rects ffor ye same: ye question being putt, it was Resolved in ye affirmative, and Ordered that The Keeper of ye seal be acquainted with the same, as aforesaid, and that his Complyance therewith is desired by The Goverr.

Ordered That ye Sherriffs of ye Respective Countys within this Province & Countys annexed, be sent to to acquaint their members of Councill that one of Them Successively Monthly give their attendance vpon ye Goverr, according to Law and Charter.

Adjourned till ye 17th Inst, 9 in ye forenoon.

At a Councill in The Councill Roome at Philadelphia ye 17th of ye 11th month, 1688-9.

PRESENT:

JOHN BLACKWELL, Esq., Goverr.

Robt Turner,	Grif. Jones,	Samll Richardson,
Samll Carpenter,	Wm. Darvall,	Wm. Markham, Secry.

The Keeper of ye broad Seal, according to ye minutes at last sitting, brought ye blank parchment and Layd it downe before ye Goverr & Councill, to be Disposed of as this board Should see meet.

As to ye Letter sent from ye Chief Proprietor & Goverr by Edwd Blackfan, directed to ye 5 Commissioners of State,

The Keeper permitted the Govrnor to Read some parts thereof, and promised that a transcript of yt part, or so much of it as is Convenient for ye Govrs Instruction, should be this day delivered to him.

As to ye Delivery of ye Originall Letters or Instructions, or part of Letters that Concern publick Instruction for ye Government, ye Keeper Desired some time to have Conferrence first wth ye Rest of ye Commissrs of State, and other members of the Provinciall Councill to whome they were respectively Directed, to have their Sense about it, and would Returne their answer as Soon as he Could.

The Petition of Martha Moon was Read, wth ye Coppy of her Deceised husband's Will, wch was Referred to ye Common Law.

The blank parchment a fore mentioned, left with this board by ye Keeper, being of no present vse and Conceived unsafe to Remaine in any hands as a blank, was by an Vnanimous Consent of ye Goverr and Provinciall Councill, thought ffitt to be Cancelled. Resolved and Ordered ye Same to be Cancelled, and it was accordingly Cancelled in their presence, by ye hands of ye Keeper.

Ordered that Two days in a Week, viz: Every Second and ffifth day, Shall be ye days for ye Sitting of ye Councill, between nine & tenn in ye forenoon, and that Speedy notice thereof be given by ye Secretary to ye severall members of ye Provinciall Councill, and that they be desired to give their respective Attendance on ye Goverr, according to ye Constitution and Laws in that behalfe.

The Goverr having sent a draft of Commission to ye Keeper for authoriseing Justices of ye peace & holding County Courts ffor Philadelphia, with his Warrant for passing ye Same vnder ye Great Seale, wch was Returned vnto Him by ye Keeper and produced and Read in ye Councill, together with the Keeper's answer made therevpon, wch Imported his Refusall to pass ye Same, The Goverr Declared he should Issue Commissions in that fforme vnder ye Lesser Seal, and Signifie ye Same to ye Proprietor, as not being Satisfyed wth ye Grounds of his refusall, and proposed ye names of ye persons therein named for Justices to ye Councill, to Know if they had any ground of Exceptions against any of Them.

Adjorned till ye second Day of ye next week, being ye 21 Inst, at 9 of ye Clock in ye forenoon.

At a Councill in ye Councill Room at Philadelphia The 21th of ye 11th month, 1688–9.

PRESENT:

JOHN BLACKWELL, Esqr., Goverr.

Robt Turner, Wm. Darvall, Griff. Jones,
Samll Carpenter, Samll Richardson, Wm. Markham, Secry.

The Goverr Inquires whether ye Secretary, according to an Order ye Last Sitting of Councill, hath given notice to ye severall members of ye Provinciall Councill that they were desired to give their Respective attendance on ye Goverr, according to ye Constitution and Laws in that behalfe.

The Secretary answered that ye Orders were all Ready written, but for want of Opportunity and a Common Stock to defray ye Charge of a messenger, they were not yett gon out: wherevpon Wm. Darvall & Griff. Jones, members of The Provinciall Councill, being to take a jorney to ye Southward, undertook The Care of That matter in ye ffour Counties, Vizt: New Castle, Kent, Sussex and Chester.

The Goverr Enquireing by what Law or warrant goods Came to be transported out of This Province, &c., to any other Countrys or parts, Except to England, wch seemed to him to be prohibited by ye King's Grant, Samll Carpenter moved ye pattent might be Read, wch was accordingly don, and ye same being not Cleare to ye board for giveing resolution in ye Case proposed, it was suggested that ye Laws of England allowed it, and it was ye Common practice of all ye Plantations.

Some Clauses were read out of ye book Conteyning acts about Customs, &c., wch not Clearing it, the Goverr took The book wth him for his perysall, and that debate was referred, & adjorned to ye next Sitting of Councill.

adjorned Till ye next fifth day, being ye 24th Inst, 9 in ye forenoon.

At a Councill in ye Councill Room in Philadelphia the 24th of ye 11th month, 1688-9.

PRESENT:

JOHN BLACKWELL, Esqr., Goverr.

Robt Turner,	Samll Richardson,	Grif. Jones,
Samll Carpenter,	Wm. Darvall,	Wm. Markham, Secry.

The Minute of Councill yt was Debated ye Last Sitting, touching transportation, &c., was Reassumed, and after a ffull debate, it not appearing very Clear that ye King in his Charter had given Liberty to this Province to transport ye Merchandize that shall arrise by ye ffruites and Commodities thereof, to any Place unless to England, it was Resolved & Requested that ye Goverr represent to ye Chieff Proprietor & Goverr ye said Debate, in order to his Consideration.

Vpon ye Reading of ye Petition of Wm. Markham, Setting fforth that one in Holland Drew a bill upon John Moll of New Castle County, within this Government, payable to ye Chief Proprietor & Goverr, and ye said Moll was about alienateing or making over his Estate, and Leaveing the Province without payment of ye said bill, or Security given for ye payment Thereof:

It was therefore Ordered, that ye Attorny Generll Draw vp an Instrument to Stopp ffurther proceedings in that Court, and to transmitt ye Cause, with all their proceedings therein, to ye Governour and Provinciall Councill, there to be heard and Determined.

Adjorned till ye next Second day, being ye 28th Inst., 9 in ye forenoon.

In ye Councill Room at Philadelphia The 28th of ye 11th Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esqr., Goverr.

Robt Turner,	Samll Carpenter,	Wm. Markham, Secry.
Samll Richardson,		

The Returne of ye order of Councill, bearing date ye 14th Inst, made by ye Sherriff of Chester County, was this day read, giving an accot that he had Executed ye same ye 27 Inst.

ffor want of a Sufficient Number of ye members of Councill they Could not proceed vpon business of moment, wch occasioned their breaking vp to meet ye next Councill day, being ye 31st Inst., after Expecting ye members above two howers.

In The Councill Roome at Philadelphia The 31st of ye 11 Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esqr., Goverr.

Robt Turner,	Samll Carpenter,	Wm. Markham, Secry.
Samll Richardson,	John Symcock,	

There not being a Sufficient number of ye members of Councill to proceed vpon business of moment, after about Two hours Staying they broak up. Samll Richardson, before they broak up, motion'd that The order of This board that was granted at their Last Sitting vpon ye Petition of Wm. Markham, was Contrary to Law; but vpon Examination of Severall papers produced by ye said Wm. Markham, that opinion was Removed, and ye Order allowed to proceed.

At a Councill in ye Councill Roome at Philadelphia, ye ffirst of ye Twelveth month, 1688-9.

PRESENT:

JOHN BLACKWELL, Esqr., Goverr.

Robt Turner,	Samll Carpenter,	Barth. Coppock,
Samll Richardson,	John Symcock,	Wm. Markham, Secry.

The Governor Inquired if the Letters & Instructions mentioned in ye Order of This board Dated ye 14th of 11 month, 1688-9, were brought to ye Secretary's Office, according to ye said Order; wch being not done, It was Resolved and Ordered that ye Secretary wayte on ye Keeper of ye Great Seale to putt him in minde thereof, and to desire that he would take Care ye same be done before his going to New York.

The Keeper haveing acquainted ye Goverr with his Intentions to goe to New York some time ye next Week, the Goverer Desired ye advice of this board whether it be not ffitt, before he goes out of this Province, that he bring ye broad Seale to this board, there to be left to be made use off (if there shall be occasion) During his absence. It being putt to ye Vote, it was Resolved in ye affirmative. Butt John Symcock, a member of this board, Declareing his opinion yt ye Keeper ought not to absent himselfe from being in a Readyness to Discharge his great Office & trust of ye Great Seale, & moveing and desireing for his and others' Satisfaction, that a question might be putt whether ye Keeper Should be permitted to depart out of This Province during the Time he is Keeper of ye broad seale; It was Resolved in ye affirmative, that he might be permitted, he leaveing ye Seale with this board, and that ye Secretary acquaint him with these Resolves.

John Bristow, a member of This board for ye County of Chester, being newly Come to Towne, Came into Councill.

The Goverr proposed to John Symcock, Jon Bristow & Barth. Coppock, (members of ye Provinciall Councill for ye County of Chester, being all present,) that they would agree amongst themselves ye order and Course of their future attendance in Councill, and Signifie the Same to ye Secretary, to ye End it might be Knowne whome to Expect on all occasions. John Symcock positively declared he would not attend that service any ffurther, and left it vpon ye other two.

A Petition was Exhibited by Thomas Woollaston Complayning yt he was Kept out of Possession of Some Estate of his: the Consideration thereof was adjourned to ye next meeting in Councill, Viz: on ye Second day of the next Week, being ye 4th Inst. Mo.

In ye Councill Room at Philadelphia The 4th of ye 12 month, 1688-9.

PRESENT:

JOHN BLACKWELL, Esqr., Goverr.

Samll Carpenter, Barth. Coppock, Wm. Markham, Secry.
Samll Richardson, John Bristow,

Not a Quorum at halfe an hour past Eleven, wherevpon they Departed.

At a Councill in ye Councill Roome at Philadelphia ye 7th of ye 12th Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esqr., Goverr.

Robt. Turner, Arth. Cook, Samll Carpenter,
Samll Richardson, Barth. Coppock, Wm. Markham, Secry.

The Secretary reported to this board yt according to their Order of ye ffirst Inst, he had wayted on ye Keeper of ye broad Seale, & acquainted him with ye Two Resolves then past upon ye Govern being informed by ye Keeper of his Intentions touching his going to New York, and gave him a transcript of the Same Resolves, and that thereupon ye Keeper Replyed that he would Returne his answer ye next Time ye Councill satt, Desireing the Secretary to give him notice when that Should be, that he might attend them. Wherevpon the board Ordered that notice Should be given him fforthwith, of Their being mett in a ffull Councill.

The Keeper being Come, was desired to sitt downe by ye Goverr, who acquainted him that ye Secretary having Informed the board that it was his Desire to Know of their meeting, in Order to his giving his answer to ye Resolves touching ye Great Seal's Disposall in his absence, & Desireing to Know what his Intentions were in that matter, he said he had prepared a Paper to have left behinde him in Case ye Councill had not Satt before his going, &c., which paper he offerred to their Consideration, haveing that opportunity for it; and ye Goverr desireing ye Secretary might Read it. The Keeper Insinuating that there might be some mistakes in ye writing of it, wch he had not had time to Correct, it was proposed by ye Goverr that he might have ffurther time, if he pleased, to satisfy himselfe therein before it was Read; to which he answered he would Read it himselfe to ye board, and accordingly read the same;* Wherevpon ye Goverr directed, if that were his answer, that he would signe it & deliver it to ye Secretary, to be Considered in his absence, withall giving his opinion that it was in his apprehension a high Reflecting vpon and arraigning ye board, or Some of them, & in a Libellous manner Chargeing them with unwarrantable practices in their proceedings in that matter, Yett makeing a Distinction, as if it had been the act of a prevaling party, wch being debated and Considered amongst themselves, it was at last agreed that he should be acquainted that if he had any thing else to give in as his answer, he had liberty, and might take his owne time to give it in. He desired that might be Entred by ye Secretary in ye Same book where those Resolves were wch had been sent to him, wch was Directed by ye board to be don accordingly, and that ye Secretary Should deliver him a Coppy of it, as he also desired, wch the Goverr told him he would transmitt, together wth what Else had passed, in writing, between ye Keeper and himselfe, Submitting ye whole to ye Proprietor's Consideration.

Vpon ye Petion of Thomas Woolaston to ye Goverr & Councill, praying relief against a forceable Entry & Deteiner in ye County of New Castle, It was Resolved that a warrant be drawne, directed to such Justice or Justices of ye peace ffor that County Dwelling nearest to ye place where ye fforce is alleaged, as he should apply to and Request in that behalfe fforthwith to Repaire to the house and Lands in his Petition mentioned, to View The said fforce, and ffinding any, to Remove the same; and if they ffound none vpon their View, to Require the Sherriff of ye Said County to Returne a jury to Enquire thereoff whether any was, and by whome made or Continued, & to ffine and Imprison the offenders, & Therevpon to restore ye quiett possession to ye Petitioner, and to make a Returne of The same to ye Clark of The County Court, to be Entred in the Records of The said County.

The Petition of Robt Turner, John Tissick, Thom. Budd, Robt Ewer, Samll Carpenter, & John Ffuller, was read, setting forth their designe in setting up a bank ffor money, &c., Requesting Incouragement ffrom the Gover^{r} & Councill ffor their proceeding therein. The said Rob^{t} Turner & Sam^{ll} Carpenter, two of The said Peti^{rs}, being present & constituting y^{e} present Councill, and besides whom there were but four more present, The Gover^{r} acquainted them that some things of that nature had been proposed & Dedicated to y^{e} proprietor, by himself, some months since, out of New England, to which he believed he should receive his answer by y^{e} ffirst Shipping hether out of England: Yett withall acquainted them that he did Know no reason why they might not give their personall bills to such as would take them as money to pass, as merchants vsually did bills of Exchange, but that it might be suspected that such as vsually Clipp'd or Coyn'd money, would be apt to Counterfitt their bills, vnless more than ordinary Care were taken to prevent it, which might be their Ruine, as well as y^{e} people's that Should Deale with them.

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* The paper alluded to will be found on page 193, marked ☞.

☞ To The Present Governo^{r} and members of the Provinciall Councill.

THOMAS LLOYD, Keeper of the broad Seal, with due Regard presenteth these following lines:

Vpon the pervsall of two Resolves passed by you in Councill y^{e} 1st Ins^{t}, & Delivered me by ord^{r} this morning, (being the ffourth day Since.) I am much Concerned that such an Entry, so destructive of Right, and inconsistent with property, should be ffound vpon your book. You have, as much as in you Lay, introduced an ill precedent of disposeing Arbitrarily the most Eminent Estate for life as yett declared in this Governm^{t}, and this was done the Cause vnheard: Whereas, no ffreeman here ought to be Condemned or Concluded to his wrong without his answer, provided he doth not wilfully absent himselfe; and ffurther, it is apparent by y^{e} Conclusion of your Order, that it was not Intended by y^{e} wording of the same, that I should be admitted to my Defence, but to be made only acquainted wth your Determination therein, and so to abide by it as an Irrevocable Sanction, I might with a great Deal of reason, vnder the generous Constitution of this Province, Sooner Expected a Confirmation of y^{e} Liberties of Estates ffrom you then Such a procedure, in no wise to be Countenanced.

Your Seat is a high jurisdiction, and the higher it is the more just and honourable ought its proceedings to be, and so give Examples of Justice to Inferiour Courts. Violent Courses, and hasty, precipitate Councells, will Slowly and meanly Commend y^{e} policy of their Authors: I wish for the ffuture, that no Sinister designe, passion, or male conduct may so Influance or hurry any of the Sincere minded of you as to act unbecoming y^{e} wisdom and dignity of the place. You have dealt vnkindly by me; and not only so, but you have digged Deepe, tho' vnawares. I am perswaded, to Severall of you, to lay a foundation whereby to ground a misdemeanour against me vpon a Conjectured non complyance with your Resolves, and this being a personall matter, and of great moment, you have done by y^{e} Lesser number, and that by Vote, being vnwarrantable by Law & Charter.

The duty of my place is to advise, and with you to Endeavour that nothing be attempted by any person or persons here, to y^{e} Subvertion of y^{e} fframe of Governm^{t}; had you well understood & Considered the matter before you, the Tenure of y^{e} Custody and y^{e} Station of The Officer, I should not have been thus treated by you. My Request is before I make my particular answer to two or Three positions w^{ch} might Lead into this act, That you Order Either the aforesaid Resolves to be Raz'd out or Cross'd, in y^{e} Councill book, as being such which are not to be drawne into Imitation, you disposing y^{e} Custody of y^{e} Seal without discoursing or giving Notice to y^{e} Keeper to appear, who hath affixed Estate therein; Otherwise, that this writing may be Entred with you as a soft, Tho' sound memoriall, against such an undue proceeding. I may say as vpon a fformer harsh and hardly warrantable attainder of a person vnsought and vnsent ffor, Auferat Obliuio Si potest si non ut cunque Silentiam togat. Lett such methods be covered with Silence or buryed in Oblivion. My love to y^{e} Gover^{r}, people, and their Sincerity, hath made me Serve them Chearfully Sometime. I have Endeavoured their good, tho' I might ffayle in effecting of it. I may have witness in Some breasts, that I have more injured myselfe and ffamily then any persons just Intrest vnder my notice. I have been a great Drudge In my Sphere, but not so abused an one afore. Be pleased to be tender of Right, and lett not y^{e} Royall Law be forgotten, of doing vnto others as you would have (Such) others doe vnto you.

Philadelphia, The 4th Ins^{t}., 12 Mo., 1688-9.

In The Councill Room at Philadelphia The 11th of y^{e} 12 mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esq^{r}., Gover^{r}.

Arth. Cook, John Symcock, Wm. Markham, Secre.
Sam^{ll} Richardson,

The Gover^{r} Stayed till halfe an hour past Eleven, and then no more coming, left y^{e} place & Directed y^{t} notice be given of a Councill y^{e} next day, at 9 in the fforenoon.

At a Councill in The Councill Roome at Philadelphia y^{e} 12th 12 Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esq^{r}., Gover^{r}.

John Symcock, Sam^{ll} Carpenter, Barth. Coppock,
Arth. Cook, Sam^{ll} Richardson, Wm. Markham, Sec^{y}.

The Gover^{r} acquainted y^{e} Councill that he had Severall things to propose w^{ch} he judged worthy Consideration, & that he had used means to have a due representative of y^{e} people attending there, according to y^{e} Charter, &c., but ffinding a ffaylor, desired y^{e} advice of y^{e} board Concerning that matter, for Remedy ffor y^{e} ffuture, & proposed in order thereunto, that the question might be putt whether it was not incumbent vpon y^{e} members of y^{e} Prov^{ll} Councill Serveing for y^{e} Respective Countys, that one out of Each County doe Constantly attend y^{e} Governo^{r} in y^{e} affayrs of y^{e} Governm^{t}.

This question was debated, in y^{e} debate whereof most members present Exprest themselves Satisfyed that there ought to be attendance given wherin necessity required, but some desireing time to Consider & advise about it, and others that y^{e} ffurther Consideration thereof might be deferred till y^{e} Coming of y^{e} members vpon y^{e} next Election, w^{ch} would be about 6 weeks hence, the season being Cold, the Gover^{r} adjorned to y^{e} next 5th day, being y^{e} 14th Ins^{t}.

At a Councill in y^{e} Councill Roome at Philadelphia y^{e} 14th of y^{e} 12 Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esq^{r}., Gover^{r}.

Jo^{n} Symcock,
Sam^{ll} Richardson,
Arth^{r} Cook,
Pet^{r} Alrichs,
Jos. Growdon,
Barth. Coppock,
John Cann,
Sam^{ll} Carpenter,
Wm. Markham, Sec^{ry}.

The minutes of y^{e} Last Councill were Read over.

A paper ffrom y^{e} Keeper, Directed to y^{e} secretary, bearing date y 12th Ins^{t}., was Read at this board, it being an answer to y^{e} Resolves and Order of Councill Dated y^{e} 1^{o} Inst.

Ordered that y^{e} said paper be Entred, w^{ch} is as ffolloweth, viz; Secretary Markham.

The originall Letters sent ffrom our Gover^{r} relating to this Governm^{t}, have been Diligently perused and Considered by y^{e} Commiss^{rs}, and wee Know of none which may be off Service ffor present Instruction, that are to be ffurther Communicated. Such of Them which Conteine matter of Information or Direction, have been Delivered to View and are transcribed allready; most of Them remaine in my Custody by the assent and approbation of Those to whome they were primarily Directed.

THO. LLOYD.

Philadelphia 12th 12th Mo., 1688-9.

The Govern^{r} acquainted y^{e} Councill that in as much as they were not pleased to give him their advice vpon his motion at the Last Councill's meeting, he would not trouble them ffurther therein, but proposed the Councill would give him their advice whether they did not judg it ffitt for him to Expect y^{e} attendance of y^{e} Respective members of Each County, as y^{e} Law and Charter Requires: after much debate

Vpon that proposall, Divers of ye members haveing Exprest their dissatisfaction to give their advice to the Goverr therein, Arth. Cook moved ffor that the poverty of ye people was so great as they were not able to bear ye Charge of Constant attendance, as the Law and Charter Required, Yett that the Goverr be desired yt ye Execution of it might be suspended for ye present, and ye question being putt, vizt: whether the Goverr Should be desired to Suspend the Execution for ye present? It passed in ye affirmative, ye Secretary only Dessenting.

Att a Councill in ye Councill Room In Philadelphia ye 18th of ye 12th Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esqr., Goverr.

John Symcock,
Arthr Cook,
Wm. Clark,
Samll Richardson,
John Cann,
Peter Alrichs,
Barth. Coppock,
Robt Turner,
Wm. Markham, Secry.

The Goverr Directed the Minutes of ye Last Councill Should be Read, wch were Read.

The Goverr then directed that ye Keeper's Originall papers to ye Secretary Should be Read, vpon wch ye Goverr asked John Symcock & Arthr Cook, two of ye Commissrs of State, whether they did owne that paper as their answer; they replyed doubtfvlly, referreing to ye paper it selfe, wch named none. Robert Turner, an Other of the said Comrs, coming in, declared he Knew nothing of ye paper, and disowned it: wherevpon ye Goverr Ordered his Commission to be Read for the Satisfaction of ye board, that he was Referred to ye Instructions Sent by ye Proprietor & Chief Goverr, as well to ye Presidt & Councill as to ye ffive Comrs of State, which were to be his guide, and Declared he thought it was necessary that he Should have either the Originalls or true Coppys thereoff attested for his Guidance in ye Governmt, and Directed also, that ye orders of ye board fformerly made in that behalfe might be Read. And vpon ye Debate, ffinding some persons at ye board who where Concerned in those Instructions did not think ffitt that ye Originalls Should be Deposited with the Secretary, as was directed, The Goverr Condescended yt in Stead of Delivering in ye Originalls, there might be true Coppyes transcribed & Signed, vizt.: Such as were directed to ye Presidt & Councill to be signed by ye Presidt., and such as were directed to ye Comrs of state to be signed by any Three of them that were Concerned with him in Those Commissions, and ye same to be done for so much of other Letters (wherein Private matters are Intermixed) as Conteine any publick matter of Instruction, and that ye said Coppys so attested, be delivered in to ye Goverr and Councill as Soone as may be: vpon debate it was putt to ye question and Resolved in ye affirmative, N. C. D.

The Goverr then acquainted ye Councill that he ffound there was a duty required of him by y^{e} acts for incouragem^{t} of trade & navigation, touching y^{e} transporting of y^{e} Commoditys of y^{e} Country to England, or his Maj^{ts} other plantations, which he had at his ffirst Entrance, vpon y^{e} Governm^{t} Solemnly declared & promised to see duly Executed according to y^{e} tenor of y^{e} said acts, and desired y^{e} minutes of that day's proceedings might be Read; w^{ch} being read, it appeared that no notice was taken therein of his haveing so ingaged, but severall of y^{e} members present remembring y^{t} y^{e} Gov^{r} had soe Solemnly Ingaged, it was agreed y^{e} same should be added to y^{e} minutes of that day's proceedings, w^{ch} was y^{e} 18th* day of y^{e} 10 Mo., 1688.

The Gover^{r} also then offered that if The Councill thought ffitt, he would Solemnly Sweare to doe his vtmost for y^{e} punctuall observing y^{e} said Acts, w^{ch} was not thought necessary.

The Time drawing near for y^{e} Annuall Election of members for y^{e} Prov^{ll} Councill & Gen^{ell} Assembly, the Gover^{r} desired to be informed by y^{e} Councill whether it were vsuall or needfull that any writts or warrants should be Issued for Summoning the ffreemen for y^{t} purpose, or whether they Should meet of Course: it was Resolved there was no need of writt or warrants, but their day would be observed of Course.

Wm. Clarke, a member of the Prov^{ll} Councill for y^{e} County of Sussex, acquainting the Councill that inasmuch as there were two Elections to be made for that County, viz: one for y^{e} person that was to goe off, and another ffor one that was Elected fformerly, but now in England, he Conceived it necessary that an order should be Issued for y^{e} Choosing one in his Roome who was absent. It was agreed an Order Should be Issued to y^{e} Sheriff accordingly. The Gover^{r} demanding who was to Issue that Order, it was answered in y^{e} words of y^{e} Law in that behalfe, The Proprietor and Gover^{r} was to Issue it.

Two Petitions were proposed to be Read, but it being late, y^{e} Gover^{r} adjorned till to morrow, 9 of y^{e} Clock in y^{e} fforenoon.

At a Councill in y^{e} Councill Roome in Philadelphia y^{e} 19^{h} of y^{e} 12 Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esq^{r}., Gover^{r}.

Wm. Clark,	Rob^{t} Turner,	Arth^{r} Cook,
Jo^{n} Cann,	Sam^{ll} Richardson,	Wm. Markham, Sec^{ry}.
Pet. Alrichs,	John Symcock,	

The Gover^{r} desired y^{e} Entrys vpon y^{e} Last Councill's minutes should be Read; they were Read accordingly.

The Gover^{r} Directed y^{e} Reading y^{e} Petitions presented at y^{e} riseing of the last Councill, wherevpon the Petition of Adam Johnson was Read: the Petitioner was Called, who Informing y^{e} Councill of y^{e}

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*Should be the 21st of the 11th Mo.

danger he was in of his life from y^{e} threatenings of Peter Ludgar, and that y^{e} same danger was Continued through y^{e} said parties being at Liberty, Contrary to y^{e} Judgment of y^{e} Court, The Sheriff of y^{e} County of Sussex, where y^{e} Robery was Committed, viz: ffrancis Cornewell being informed to be in Towne was sent ffor, and demanded by y^{e} Gover^{r} by what authority he permitted y^{e} said Pet^{r} Ludgar to be at Liberty. He said he was directed only to have the person ready at y^{e} Court to answer, and that being don, he requested y^{e} Justices to Declare what Should be don with him; some of them Expressed themselves desirous to be rid of him, but gave him no Order to Keepe him under Commitment, so he thought himselfe vnder no obligation to detaine him. The Gover^{r} ordered him to withdraw.

Vppon debate of y^{e} ffact, and y^{e} Sheriff's Suffering him to be at Liberty, it was vnanimously agreed that y^{e} Sheriff deserved a Sharp reproof for his neglect, but it being y^{e} ffirst Complaint of this nature against him, out of Their Indulgence they Thought ffitt not to ffine him for it, Butt ordered that the sheriff doe forthwith apprehend The Prisoner at his Owne Charge, and that he Keepe him in y^{e} Common Goale or Work house of y^{e} County where the Judgment passed, there to be held to Hard Labour, or otherwise, till y^{e} party agrieved be satisfied, and that he Cause him to be Corrected with so many stripes as by y^{e} Judgment of y^{e} said Court was ordered, and that he see they be well laid on. Wherewith the Sheriff was acquainted by y^{e} Gover^{r}, vpon Calling him in for y^{t} purpose.

The Petition of ffrancis and Wm. Smith was Read, w^{ch} being vnintelligibly Expressed, but in y^{e} Generall Complained of wrong don by y^{e} County Court, & Desireing Liberty to appeale, it was ordrd that y^{e} Goaler of y^{e} County of Philadelphia doe bring y^{e} Petitioner in Custody before this board at their next sitting, and that Charles Pickering, y^{e} Prosecutor, be ord^{ed} to attend at that time, to Informe y^{e} board of y^{e} Case of the Pet^{r}, (who seems not able to sett fforth y^{e} same,) to y^{e} End the board may give Reliefe, if the Case will admitt.

The Gover^{r} acquainted y^{e} Councill that he thought it necessary something should be speedily done about settling a Provinciall Court, and that he ffound some things difficult therein by reason of y^{e} severall Laws passed Concerning y^{e} same, and therefore moved them for their advice vpon y^{e} said Laws, and that they should be Read, viz: y^{e} 157 Law, and y^{e} 181 Law, y^{e} ffirst whereof was made during y^{e} Gover^{rs} abode in this Province, the other since his departure for England. The ffirst referring it to y^{e} Proprietor and Gover^{r} to Commission five persons vnder y^{e} broad seal. The Latter directed that Court should be impowred by y^{e} Gover^{r} and Provinciall Councill; which Latter seemed to be an incroachment upon y^{e} power of y^{e} Gover^{r} reserved by y^{e} Charter of Privileges, and being by a Law made in y^{e} Proprietor's absence; (Contrary to his Intrest;) and for as much as the Proprietor had by his Commission to y^{e} Presid^{t} & Councill, Limited their power as to y^{e} passing of Laws of y^{t} nature, and by his Instructions since, bearing date y^{e} first of y^{e} Twelveth month, 1686, directed that at the next Assembly Gen^{ell} the Commissioners of state Should declare his abrogation of all that had been done since his absence, and

So of all y^{e} Laws but y^{e} ffundamentalls, which was said to have been declared. It being also Considered that y^{e} ffirst Law required y^{e} passing such Commission vnder y^{e} Great Seale, and in Case y^{e} Keeper should not think fitt to affix the same by y^{e} Gover^{rs} Warrant, (on the allegations expressed in his refusall to sett the said seal to y^{e} Commissions ffor Justices of y^{e} peace,) The Provinciall Judges might possibly refuse to act vpon y^{e} Lesser Seal, and soe y^{e} Country would be destitute of y^{t} Court for y^{e} administration of Justice in highest Causes, and divers other Difficultyes arriseing vpon y^{e} debate thereoff, The Governour desired y^{e} members of y^{e} Councill would seriously Consider y^{e} matter, so as to be Ready to resolve him therein at y^{e} next proposall of y^{e} same to their Consideration; w^{ch} being approved, The Governo^{r} adjourned y^{e} Councill till y^{e} next ffifth day, at the vsuall Hour of meeting, being y^{e} 21 Ins^{t}.

At a Councill in the Councill Roome in Philadelphia y^{e} 21 of y^{e} 12 Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esq^{r}., Gover^{r}.

Arth. Cook,
John Symcock,
Wm. Clark,
Barth. Coppock,
Sam^{ll} Richardson,
Robt. Turner,
Wm. Markham, Sec^{ry}.

The proceedings of y^{e} board at last Councill was read by y^{e} Gover^{rs} Direction.

The Gover^{r} Inquired whether y^{e} Sheriff of y^{e} County of Sussex had seized the person who had been so long at Liberty.

Arth^{r} Cook said y^{e} person had offered himselfe and promised he would Yield himselfe rather then y^{e} Sheriff Should suffer, but was not in Custody.

Vpon w^{ch} the Gover^{r} moved the Sherife might be sent ffor and ffyned for his neglect of doing his duty, being acquainted how dangerous the person was, and that Adam Johnson, the person Complayning, had declared he was in fear of his life. The Gover^{r} also vpon what was said y^{e} last day of y^{e} Councill's Sitting, Declared he neither looked vpon himselfe nor any member of the Councill to be safe ffrom mischief whilst so great a Villiane as he was sett fforth to be had his Liberty.

It was alleged that some new Information had been Received touching y^{e} former tryall had against y^{e} prisoner, which tending to the ravelling into y^{e} Resolutions of y^{e} Last day's proceedings, when there was a fuller Councill, y^{e} Gover^{r} declared he was not satisfyed that it was seasonable or proper to their present Consideration, or Reasonable that he should admitt thereof till he vnderstood that he was in Custody, and that he look'd vpon the things that were offered as y^{e} result of Councill's taken abroad, to w^{ch} he should give no Countenance. The Secretary acquainted the Gover^{r} that y^{e} said Prisoner had delivered him a Petition, and desired to Know whether he should Read it. The Gover^{r} said he would Receive none till he were in

Custody, and then he would receive any, and againe declared the Sheriff ought to be ffyned for letting him have his Liberty.

The Goverr therevpon Called ffor ye other business appoynted ffor ye day, but that not being ready, nor ye persons present, he Caused ye act of settlement to be read, in order to the minding the board of ye Great Grace & ffavour of the Proprietor, &c. in ye Grant of the Charter of Privileges, and how gratefully they had received the same, and how solemnly they had Ingaged to observe what was on their parts to be done, inviolably, &c., and withall observed to the board, that since then some laws had been passed in his prejudice, & Contrary to the trust he had reposed in ye Presidt and Councill,. &c., which he should take an other ffitting occasion to offer to their Consideration.

ffrancis and Wm. Smith being brought in Custody by the Sheriff, & Charles Pickering present, the Goverr ordered the Prisoners Petition to be read; and all yt ye prisoners had to say against ye Judgment ffor his Committment being that he had paid Intrest for ye money for longer time than was yett Expired, it was made apeare that what he had paid was by ye Court deducted out of ye principall money adjudged against him; and Charles Pickering offering on ye behalfe of his Clyent to sett him at Liberty vpon giveing him Security for paying the debt, or makeing over ye Land ffor wch he was indebted to that purpose; he refuseing to doe Either, the board remanded him back to ye Goale: he Complayned he had no bed to lye on. The Sheriff acquainted the board he might bring in his bedds to ye prison if he pleased, and Should have them out with him vpon his discharge. The board adjudged they saw no just Cause of Complaint.

Adjorned till ye 2d day of ye next week, 9 in ye fforenoon, being ye 25th Inst.

At a Councill in the Councill Room at Philadelphia ye 25 of ye 12 Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esqr., Goverr.

Arthr Cook,
Wm. Clark,
Wm. Darvall,
Griff. Jones,
Samll Richardson,
Barth. Coppock,
Wm. Markham,
Robt Turner.

The Goverr Directed ye Reading ye Entrys of ye last Councill's proceedings: they were accordingly read.

The Petition of Peter Ludagar presented to ye board, was Proposed to be read.

The Governor Declared he was not satisfied to receive any till he vnderstood Ludgar was in the Sheriff's Custody, according to fformer order, Especially for that his business had been Determined at a fformer

Councill. Some debate was touching ye fformer proceedings of ye County Court, and some reflecting Expressions vpon ye Resolve of ye Councill in that behalfe, which (though passed nemine contradicente) were of so high a nature, by Samll Richardson, a member of the Councill, as ye Goverr took exception against as vnbecoming any member against ye Whole, the Governor telling him he ought not to Suffer it, and Reproveing him as haveing taken too great liberty to Carry it vnbeseemingly & very provokeingly, Particularly Instancing in ye said Samll Richardson's fformer declareing at severall times, yt he did not owne ye Goverr to be Goverr, &c.; to which he peremptorily replyed he did not nor would, saying to him he was not Goverr, and he would Stand by it & make it good; that Wm. Penn could not make a Goverr. Arthur Cook, in milder Expressions, Saying that Wm. Penn can make a Goverr is a Scruple to me. All others declaring against that opinion. Samll Richardson still persisted in denying ye Goverr; wherevpon ye Goverr mooved, since he was so peremptory in repeating it, with such heat, that he might be ordered to withdraw till ye Councill should debate it. He replyed, I will not withdraw, I was not brought hether by Thee, & I will not goe out by thy order; I was sent by ye people, and thou hast no power to putt me out. The Goverr said he Could not sitt there to Suffer ye Chief Goverrs power to be so arraigned and questioned, & himselfe so Contemned, & Desired the members would severally declare themselves whether they Judged it their duty to owne him by the stile of Goverr or not. All the rest of ye members declared themselves offended with his words and Carriage, only Arthur Cook againe said he did believe that Goverr Penn Cannot make a Goverr, but a Deputy Goverr, but desired he might Explaine himselfe, & said He so judged in his Conscience & would be vnderstood to think & speak modestly, disapproveing & Censuring Samll Richardson's Carriage. Wherevpon ye members at ye board declared severally that they judged it meet the said Samll Richardson Should withdraw till they ffurther debated ye matter, Wherevpon he went fforth, declaring he Cared not whether ever he sat there more againe, &c.

The Goverr moved they would give their Opinion whether ye words Spoaken & Carriage of ye said Sa. Richardson were not vnworthy & vnbecoming a member of Councill to ye Goverr; wch was Carryed in ye affirmative, and that he ought to acknowledg his offence, and promise more respect and heed for ye ffuture, before he be allowed to Sitt againe in Councill. He then moved ye Councill would give their opinion whether he Should be Called in & acquainted therewith, which was agreed, but he was gon away.

The Sheriff of ye County of Sussex being come, was Called in and demanded whether Peter Ludgar were in his Custody, according to ye fformer Order; he answered he was. He was then Charged with ye Custody of him, to be answerable for him.

The said Ludgar's Petion was then read.

It was moved yt there might be a hearing of ye Case, & perticularly whether ye judgment passed against him by ye County Court were Reversed, and vpon what grounds, by ye Provinciall Court. Two

Coppys of ye Record of ye Provll Court were produced for proofe of its being reversed, but they differed much from Each other, and in one of them 'twas alleaged to have been Reversed vpon Information of one person (only); that ye jury that past vpon ye tryall did not all agree, which was not Judged a Sufficient ground for reversall against matter of Record, as ye verdict was: it was alleaged that it was also Referred back to ye County Court for a Rehearing; that ye County Court adhered to their fformer judgment, haveing so ffarr honoured ye Provll Court's order as to Examine all those who had been of ye jury, who all owned they had agreed their verdict. But the Copys of the Record of the Provll Court's Proceedings differing, it was moved by Arthur Cook yt ye originall Record & Entry should be forthwith brought before ye Goverr and Councill, ffor ye Clearing that doubt.

One of The members of The Councill was desired to goe to David Lloyd, ye Clark of ye Provll Court, who was also a Deputy or Clark to ye Mastr of ye Rolls, and Clark of ye County Court of Philadelphia, to Require him fforthwith to attend ye Councill, and to bring with him ye Originall Records of ye Proceedings of ye Provll Court.

He Came to ye Councill, and being acquainted by ye Goverr that there was occasion to see ye said Originall Records, he asked in what Case: ye Goverr told him all that hapned since his haveing that Imployment of Clark of ye Provll Court: he answered, they were not recorded otherwise then in a quire of paper. He was Required to bring them as they were. He Refused it, saying you may Command the Judges, and ye Judges might Order him, & other Slight and Scornfull Expressions he vsed. He was therevpon ordered to withdraw.

This was adjudged a high Contempt in ye said Da. Lloyd, and ffor that and other vnseemly and Slighting Expressions of his to ye Goverr and Councill, It was Resolved that ye said David Lloyd is vnfitt to be allowed for a Clark or public Officer off Record in any Court vnder this Governmt, and that he stand Discharged therefrom till vpon acknowledgment of his offence, and giveing the Councill satisfaction, The Goverr shall think ffitt to Commission him againe: this was declared to him by ye Goverr.

The Sheriff of Sussex County was Called in & acquainted that ye board saw no Cause to give any relief vpon Ludgar's Petition, and was Required to Keepe ye said Ludgar safe prisoner, and to performe ye order of ye fformer Court vpon ye judgment given against him by ye County Court.

The Goverr adjorned till to morrow morning.

At a Councill in The Goverrs Lodgings, held in the house of Griff. Jones, in Philadelphia, the 24th of ye 12th month, 1688-9.

PRESENT:

JOHN BLACKWELL, Esqr., Goverr.

Robt Turner
Arth. Cook,
Wm. Darvall,
Griff. Jones,
Wm. Clark,
Samll Richardson,
Samll Carpenter,
Wm. Markham, Secre.

The Gov^{r} haveing notice of severall Rumours spread abroad in this town, &c., touching an Invasion made in England by y^{e} Prince of Orange, and Battelle fought there, w^{ch} were occasioned by y^{e} Repport of Zach. Whitpain, who came lately from England, and arrived here in this town about midle night last, Directed that all y^{e} members of the Councill present in towne should be forthwith assembled, in order to y^{e} Examination of y^{e} said Zach. Whitpaine; who having given a Genall narrative thereof, The Gover^{r} Caused the same to be Comitted to writing, & him, the said Zach. to be deposed to the truth thereof, w^{ch} is as followeth, viz^{t}. :

That he Came out of London the 10th or 12th of x bre last, in a Shipp Called y^{e} Mary, John Harris Master, but before he Came thence y^{e} Prince of Orange appeared with a ffleet of Shipps on y^{e} Northern parts of England, and Coasted there about 3 or 4 days, during w^{ch} time y^{e} King Issued out his Order for his Army to draw that way.

That on y^{e} 5 of 9ber y^{e} Prince of Orange Landed with an army of about thirty Thousand foot and about six thousand horse, in Turbay, Transported by a ffleet of 75 shipps of War, tenn fyre Shipps, 500 flyboates, 60 pinks: That the army remained about Exeter about three Weeks, in w^{ch} time y^{e} King remanded his army from y^{e} north towards Salsbury, and the King went to them there and stayed about a week, then y^{e} King returned to London and Ordered his army to march thither: That they had an Ingagement with the Prince of Orange's forces. Divers of y^{e} King's party deserted him and went over to the Prince of Orange. The fight was about Redding, where the King Lost about 2500 men, and the Prince about 1500, about y^{e} 13th of x ber: about y^{e} 17th the King Endevouring to goe for france with Sir Edw^{d} Hayles, was taken at ffeversham in a fishing Shallope, who had put there to take in Ballast, y^{e} King disguised as S^{r} Edw^{d} Hales's man. After y^{e} King was taken he was Carryed to my Lord Huntinton's house, and y^{e} next day to Canterbury, whither y^{e} Examinant went from deal to have seen him, but y^{e} King was gon thence y^{t} morning Early, before y^{e} Examinant gott thither, the King being Conducted in his owne Coaches, and with his owne and y^{e} Prince of Orange's Guard to London (they being sent on purpose for y^{t} service,) but whether y^{e} King was at London or no the Examinant Could not say, but that when y^{e} Exam sayled out of the Downes, w^{ch} was y^{e} 23 of x ber. the King was at Rochester, under Guard. That the King before his goeing away from London, went to y^{e} Tower, and sent for his Secretarys and the Lord May^{r}, and there delivered up the Tower into the hands of y^{e} City: the City upon that appointed the Lord Dumbarton to be Leif^{t} thereof till further order, and y^{e} Hamletts to Guard it. That y^{e} Public affayres at the Exam^{t}. Coming from England, were mannaged by seven Sprituall & seven Temporall Lords, and they had set forth a Proclamation for the Disbanding of the King's forces, and Disarmeing them, paying them for their armes. The Examin^{t}. ffurther says, that he heard that y^{e} Castle & City of Dublin, in Ireland, was Delivered to the Protestant Party, under the Command of the Lord Enchiqueen, who seised the King's Leif^{t}. while he satt in Councill: And further, that he saw in a Letter from Ireland that there had been a massacre made by the Papists upon the Protestants, and that two Thousand, or two hundred, were murdered; the ffigures being blotted, he Could not Justly tell which number it were.

ZECHARIAH WHITPAINE.

At a Councill in The Councill-roome at Philadelphia y^{e} 26 of y^{e} 12 Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esq^{r}., Gover^{r}.

Wm. Clark,
Arth. Cook,
Wm. Dervall,
Griff. Jones,
Barth. Coppock,
Rob^{t} Turner,
Wm. Markham, Sec^{ry}.

The Gover^{r} ordered y^{e} Entrys of y^{e} last day's proceedings might be read.

Being read, Arthur Cook excepted against y^{e} Entry of what he had Spoaken about y^{e} Governo^{rs} not haveing power to make a Gover^{r}, and affirmed he added the words [he believed so,] w^{ch} words were allowed to be added.

Griff. Jones Declared he thought David Lloyd's miscarriage was not ffully expressed, for that it was omitted to Enter y^{t} he was twice sent ffor; w^{ch} was allowed to be so, and that it should be amended, and that y^{e} said David Lloyd declared he questioned whether this board had power to Command y^{e} Records to be brought before them. Rob^{t} Turner also declared he remembered that he did question their authority. The Secretary also, that he remembred the same. Vppon w^{ch}, it was allowed those Expressions Should be added in y^{e} Entrys, as y^{e} ffarther Evidence of his Contemning their Authority.

M^{r}. Clark moved, on y^{e} behalfe of the Sheriff of Sussex County, y^{t} he might have assistance ffor y^{e} Carrying his prisoner. The Gover^{r} sayd it was proper ffor himselfe to Petition it if he wanted it. The order being that he Should Carry him at his owne Charge.

The Gover^{r} mooved that y^{e} Debate touching y^{e} setling a Prov^{ll} Court, w^{ch} he had proposed the 19 Ins^{t}, might be Reassumed, and told them that there seemed to him to be some difficulty therein, w^{ch} he hoped they haveing had so long Time of Consideration, were ready to resolve; And therevpon Directed y^{e} Entryes of y^{e} said day's proceedings & Debates might be read, and proposed y^{t} every one would Speak his minde about it, (y^{e} members Declareing they Judged there was an absolute necessity of it, it being informed by Wm. Clark that there were severall appeals ffrom other Courts.) It was Resolved vpon y^{e} Question, y^{t} a Commission should be Issued for y^{e} Authoriseing & Appointing a Provinciall Court according to Law. It passed in y^{e} Affirmative, Nemine Contradicente. It was then debated vpon w^{ch} Law it should be grounded, Some inclyning to have it vpon y^{e} 157 Law, Some vpon 181.

Vpon diligent pervseing both ye said Laws, Mr. Clark observed that he Conceived it Could not be vpon ye Latter Law, (though he had been before of that opinion.) ffor that by ye Said Law it's said ye Judges Should hold Courts at Philadelphia, ye 24th of ye next Seventh month, and ye tenth of ye Second month ffollowing, and not Yearly, but as if it were only intended ffor those two days in that year, whereas ye 157 Law Directed ye said Court Should Sitt twice every year, and Every ffall and Spring yearly.

And for that ye Latter Law was in Detriment of The Proprietor's Right by his Pattent ffrom ye King, to appoynt and Commissionate all officers, and Could not have his Consent given by those whom he Intrusted with his power, by reason of ye limitation of ye Power of ye Commission: And also, that it would be an Invading his prerogative granted by ye King & Reserved by his Charter of Privileges to ye ffreemen (at least) during his life, and bring ye Charter itselfe in question.

As also for yt by ye former law, wch was passed whilst ye Proprietor was present in the Country, It was Enacted that there Should be five Provl Judges appoynted by the Goverr, under ye Great Seale, &c., wch act is verbatim as ffolloweth:

That there shall be five Provl Judges appoynted by the Goverr, vnder ye great seale of this Province, wch Judges, or any three of them, Shall be a Provll Court, and Sitt twice every year, in ye Towne of Philadelphia, and any two of them at least, shall Every ffall and Spring Yearly, go their Circuites into Every respective County of this Province & Territorys, and there hold a Provincll Court, which Court, whether ffixed or Circular, Shall have the hearing and determining of all appeals ffrom Inferiour Courts: also, all tryalls of titles of Lands, and all Causes, as well Criminall as Civill, both in Law and Equity, not Determinable by ye Respective County Courts, any thing in this or any other act or Law of This Province or Territorys to ye Contrary, in any wise notwithstanding.

It was proposed ye members would give their Opinions whether the question Should be putt, viz: Whether they were of opinion that there should be five persons named in ye Commission to be a Provl Court according to ye 157 Law? After some debate thereoff, Arth. Cook proposed that ye Late president might be sent for to give his advice: that was not judged needfull, The Law being so plaine. Arth. Cook then Departed out of Councill, desireing his motion might be Entred as his dissent.

This question was then putt, vizt: as many as are of opinion that there be ffive persons named in ye Commission ffor Provl Judges, according to ye 157 law, declare your assent by standing up: it was Carryed in ye Affirmative, Nemine Contradicente.

The Goverr then tendred for their advice a forme of Commission wch he had prepared ffor that purpose, wch was Read once throughout, and afterwards in parts: Some alterations were proposed & agreed to, and ye Question putt, viz: As many as are of opinion that the fforme of Commission now read, with ye amendmts & alterations made vpon ye debate, Shall be ye fforme to be Issued ffor ye Authoriseing of ye Judges ffor ye Provll Court, lett them declare themselves by Standing up: it was agreed in ye Affirmative, Nemine Contradicente; and therevpon, Resolved that ye same be sent to ye Keeper of ye broad seale, with warrt of ye Goverr to putt the great seal thereto.

The Goverr not satisfied with ye behaviour of ye high Sheriffe of ye County of Sussex, proposed some other might be named by some of ye members present, ffor as much as himselfe was wholly a stranger there.

Wherevpon Wm. Rodeney was nominated by Wm. Clark, and Recommended by Griff. Jones & Wm. Darvall, as the ffittest person they Could think off ffor ye present.

The Goverr desired the members would not ffayle to Keep their next day of meeting of ye Councill, viz: the 28th Inst, at nine in ye fforenoon, acquainting them that he thought then to allow some time of Recesse ffor ye members repayring into their severall Countys, in order to ye takeing Care of Elections, &c.

At a Councill in ye Councill Roome at Philadelphia ye 28th 12 Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esqr. Goverr.

Wm. Clark,
Robt Turner,
Wm. Darvall,
Griff. Jones,
Barth. Coppock,
Arth. Cook,
Wm. Markham, Secry.

The Goverr ordered ye Reading over ye Entrys of ye last Councill's Proceedings.

Vpon reading whereof he observed there was a blank leafe of ye book of Entrys, and enquired ye reason thereof. The Secretary answered it was left ffor ye Entry of ye proceedings of ye Councill vpon ye ffirst day of that week, being ye day wherein ye Tydings of affayres in England was brought by Zachary Whitpaine. The Goverr directed They should be Entred.

The Secretary acquainted ye board that he had Carried ye Draught of Commission past by ye advice of the Councill for appoynting Provinciall Judges to ye Keeper of the broad Seal that night, and had acquainted ye Keeper yt he was desired to have it ready at ye Councill at their next Sitting: he was ordrd to goe to ye Keeper to ffetch it to ye Goverr.

Vppon his Returne he acquainted the board that he had Spoaken with ye Keeper, who told him he was going forth to a Sick person, but that his answer was Conteyned in a Lettr to him, (ye said secretary,) which he Intended to have sent. The Goverr Directed ye Superscription might be read, wch was as ffolloweth: (ffor my respected ffriend Secretary Markham, in Councell, These:) afterwards ye Letter it selfe, wch was as ffolloweth, viz: Secretary, The warrt wch I received ffrom thee ye 26th Inst. in order to ye passing lettrs Pattents vndr ye broad seal, for Constituting of 5 Provinll Judges, haveing duly Considered the same, I doe apprehend ye Instrument d dr [*] vnto me, to be in no wise proper for ye said seale; and as to ye Draught of ye Commission it selfe, it seems to be more moulded by ffancy, then fformed by law: The Style insecure, ye powers vnwarrantable, and ye Duration not Consonant to ye Continuance of ye Laws vpon wch it Should be Grounded; ffor wch Reasons, and other manifestations, I Cannot without Violation of ye trust reposed in me, lett the same pass vnder ye seale in my Custody.

THO. LLOYD, Keeper.

Philadelphia, fridie Calend. 1m 1688–m', 9.

The Goverr Excepted agt ye same, as very vnbecoming any person without doors to vse such Expressions Concerning the Goverr as that of ffancy, &c., it haveing also past in Councill; also, so ffar to question their authority as to deny to doe his duty in a Case of that Imergency. The Goverr Desired Every member of ye board would deliver his minde, and give him advice therein. Divers Spake to it, as judging it a Contempt of that Court's authority, and of the Proprs Authority ffrom ye King's Charter to ye Goverr; others that it was not an answer, to wch ye secretary affirmed he gave it as his answer.

After long debate about it, and Every one haveing Spoaken his minde, ye Goverr desireing an Issue might be putt thereto, proposed this question, viz: whether the board did Judg that Letter, or any thing therein Contayned to be a Sufficient ground ffor ye Keeper's refusall to sett The broad Seale to ye said Commission! wch being Spoaken to, It was Resolved in ye negative, by five of ye seven members present, viz: all but Arth. Cook & Barth. Coppock.

Resolved that this board doth Judg ye Keeper's letter to ye Secretary, or any thing therein Conteyned, was not a sufficient ground ffor ye Keeper's refusall to sett ye broad seale to ye Commission sent to him for yt purpose by ye Goverr.

The Goverr then proposed ffor advice by way of Expedient, and to ye end ye publick service and Justice might not be neglected, whether it may be ffitt to Require ye Keeper to bring ye said Commission and broad seale to the board, & ffor ye Goverr to sett the same to ye Commission, in his and their presence, and then to returne the same to him, there appearing no other way whereby ye appeales to that Court Could be heard, and ye whole Country would then be disappoynted and putt to great Charges.

The opinion of ye members agreeing that it was not advisable ffor ye Goverr to doe what appertayned to ye Keeper, and Arth. Cook's reason being that that were as if a man should borrow a swoard of an other to Kill a man. The Goverr told him that was uncomely to Compare the board's orders to a murtherers action: in Conclusion, it was Judged and Resolved ffitt rather to lett the thing alone ffor him to answer his refusall, and that if the Keeper refuse to doe his duty, it was ffitt he should be Called to acco^t ffor it. to which only two persons Dissented, viz: Arth. Cook, & Barth. Coppock, which was y^e Issue of that debate for that time.

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[*] delivered.

The Gover^r acquainted y^e board that David Lloyd, then County Clark of Philadelphia, haveing not made any submission or acknowledgment of his offence, as was ordered, there was a necessity some other person should be Commissioned. the County Court being to sitt in a ffew dayes, and that it was not ffitt to Suffer such Contempts of authority as began too ffrequentt. through y^e Continuance of a Councill without doors, &c., And that therefore he Should grant a Commission to Some other ffitt person, and desired that y^e members at y^e board would advise him who was y^e ffittest person to Succeed him therein. James Claypoole was named by y^e Secretary, seconded by Griff. Jones, Rob^t Turner & Wm. Darvall. and it was said he had been some time a Clark to y^e Assembly: the Gover^r moved ffor their advice about y^e County Seal and Records, that they would be necessary to be in a Readyness at y^e Sitting of y^e Court, and that Therefore, what had been done formerly for The disposing y^e said seal and Records when y^e said David Lloyd was made Clark, might be Read: vpon y^e question, It was Resolved that y^e like order as had fformerly past for y^e Disposeing y^e said seale & Records, when y^e said David Lloyd was made Clark, (mutatis mutandis,) Should be in this Case sent ffor the Delivering the same vp to y^e secretary, or y^e said James Claypoole; Arth. Cook and Barth. Coppock only dissenting.

Vpon Rob^t Turner's motion about y^e setting out the way from the ffalls to Philadelphia, and Declareing y^e Dammage the Country received by persons Carrying their Corne to Birlinton, &c., by reason of y^e badness of y^e way to Come to Philadelphia markett, occasioned by many persons Turning the vsuall Road out through their Inclosures. Contrary to a fformer order of y^e board, and that it ought to be don by the Survey^r Gene^{ll}, or his Deputy, with y^e assistance of some of y^e justices of y^e County of Philadelphia and Bucks; It was agreed that the Survey^r Gene^{ll}, or his deputy, attend this board, to shew Cause why y^e same was not done, and to give his opinion Concerning it, what he Conceives is ffitt to be don therin.

Woollaston attending to Complaine the order of this board Concerning y^e fforceable Detaynare was not Executed; but y^e board being also Informed that y^e justices, or some of Them, were Expected here, that matter was deferred ffor next Councill, on y^e 2 day of y^e next week.

The Gover^r Declared that ffrom henceffor ward vntill the time of y^e meeting of y^e whole number of Provin^{ll} Councill, he should dispence with Each other weekly day of Keeping Councill, and that y^e ordinary day of meeting Should be on the 2^d day of Each week. y^e mean while, vnless he judged there were an Extraordinary occasion requiring other days of meeting besides that.

The County Court of New Castle being by adjornment appoynted to be on y^e next day after y^e Election of members for Prov^{ll} Councill and Assembly, and severall Causes being to be heard there, wherein persons of other Countyes were Concerned, whose Duty it was to attend their owne County Elections, w^{ch} might Continue two or Three days, it was therefore thought meet y^t y^e said County Court of New Castle be Directed to Adjorne the Causes of Such persons for a Convenient time, not vnder two days; w^{ch} Being putt to y^e Question, it was Resolved in the affirmative, Nemine Contradicente.

At a Meeting in y^e Councill Roome in Philadelphia the ffirst of The ffirst month, 1688–9.

PRESENT:

JOHN BLACKWELL, Esq^r., Gover^r.

Wm. Clark,
Wm. Darvall,
Griff. Jones,
Sam^{ll} Carpenter,
Wm. Markham, Sec^{ry}.

The Gover^r haveing Rec^d Instructions ffrom The Chief Proprietor and Gover^r, Caused notice to be given to all y^e members in Towne to Convene in y^e Councill room at y^e tenth hour, in order to Communicate such parts of y^e said Instructions as were requisite.

The Gover^r Came, Stayed about Two hours, yett had not a Sufficient number ffor a Councill, notwithstanding The Secretary personally gave notice thereof to Arth. Cook and John Symcock, who told him they did not Intend to be there.

At a Meeting of The Councill in The Councill room at Philadelphia y^e 4th of y^e first month, 1688–9.

PRESENT:

JO^n BLACKWELL, Esq^r. Gov^r.

Rob^t Turner,
Griff. Jones,
Wm. Darvall,
Wm. Clark,
Sam^{ll} Carpenter,
Arthur Cook,
Wm. Markham, Sec^{ry}.

The Gover^r ord^{erd} the Entrys of The last day's proceedings in Councill Should be read: they were read accordingly.

The Gover^r acquainted y^e Councill that since their last meeting he had Received Instructions from y^e Chief Gover^r, dated y^e 24th of 7ber. 1688, wherein, amongst other things, he was pleased to direct that y^e murtherous woman's sentence should proceed, y^e Case being notorious & barbarous.

In ord^r to y^e Councill's proceeding therein, y^e Gover^r Directed y^e Secretary to turne to y^e place in his book wherein the minutes touching y^e reprieve granted was Entred, to y^e End they might know whence it arose.

It appeared to be granted vpon the Petition of John Richardson, brother to y^e murtherer, w^{ch} Petition was Read. It appeared also that a sentence of Death had passed vpon her in a Provinc^{ll} Court held in y^e^ County of Kent, where y^e^ ffact was Committed, and that the s^d^ Prov^ll^ Court was Duly Authorised by y^e^ Then Presid^t^ and Councill, by Commission vnd^r^ the Lesser seale, dated y^e^ 2^t^ of y^e^ 2^d^ month, 1687.

Vppon Consideration of The Petition, &c., It was ordered by the Presid^t^ & Councill y^e^ 19^th^ of y^e^ 3^d^ Mo., 1688, that y^e^ Sheriff Should suspend y^e^ Execution till ffurther order vpon the whole matter: it was ordered by y^e^ Gover^r^ and Councill, The secretary only Dessenting, that y^e^ said order of Suspention be of no ffurther fforce, and y^t^ y^e^ Sheriff of y^e^ said County of Kent doe Cause Execution to be done according to y^e^ tenor of y^e^ Judgment past by y^e^ Provinciall Court, and that y^e^ day ffor doeing thereoff be on y^e^ fifteenth day of This present ffirst month, commonly Called March, and that M^r^. Clark be desired to take Care that y^e^ ord^r^ ffor Execution be delivered to y^e^ Sheriff ffor y^t^ purpose.

The Secretary read a letter ffrom John White, Clark of y^e^ County Court of New Castle, w^th^ y^e^ Coppy of a paper sent by him ffrom Edw^d^ Blake, Jo^n^ fforalt, and Charles Rumsey, Justices of y^e^ peace of y said County, Certifieing some proceedings by them had vpon a fformer order of y^e^ Gover^r^ & Councill, about Viewing and removeing y^e^ fforceable Entry and Deteiner made on the house and land of Tho. Woollaston, in y^e^ said County, y^e^ possession whereof had been formerly given to y^e^ said Woollaston, persuant to a Decretall order of y^e^ Provin^ll^ Judges, by y^e^ Sheriff of y^e^ said County, and since againe taken ffrom him, as by his Petition to the Gover^r^ and Councill and their said order, referrence being therevnto had may appeare.

The said paper being read, it appeared that in Stead of Executing y^e^ said order, the Jury was by y^e^ Justices affirmed to have given in ffor their virdict that Wee Jurers of Enquirie doe ffinde that there was a fforceable Entry Committed by Edw^d^ Gibbs, high Sheriff of New Castle, and Richard Reynolds, his Deputy, vpon the house of John Gramton, about y^e^ Latter End of y^e^ Last Eight month, Called October, 1688.

HUGH MARSHLAND, fforeman.

This was judged by y^e^ board to be a great affront and Contempt of their authority; but what remedy might be given did not occurre to y^e^ board, it being properly remidable by y^e^ Prov^ll^ Court, w^ch^ the Keeper had refused to authorise vnder y^e^ great seale, as he had been ordered to doe.

Many things were Spoaken by way of Grievance that y^e^ Gove^r^ and Councill should be so obstructed in their remedying such Complaynts and y^e^ ffurther debate of y^e^ matter taken vp.

Some declareing y^e^ Keeper's refusall was a misbehavior in his office, and tending very much to y^e^ hurt & Dammage of y^e^ people of y^e^ Province; y^t^ it was dishonourable to y^e^ Government, and gives occasion to others to slight Governm^t^ and authority. That they thought it was to no purpose ffor them to give their attendance in Councill if they Should be by such means hindred of doing Justice to y^e^ people, and that they were weary of such attendances vpon such obstructions, &c.

Wm. Clark moved y^e^ Keeper might be spoken with, to see if he would give any other answer, w^ch^ was Seconded & Thirded.

The Gover^r^ named Wm. Clark, The Secretary, & Sam^ll^ Carpenter, to attend y^e^ Keeper to see if any Expedient can be found for preventing ffurther heats arriseing vpon such occasions, who were to report their proceedings to y^e^ Gover^r^ and Councill to morrow morning, by seven of the Clock, all y^e^ members of Councill now present promiseing to meet at that Time to Receive the same.

adjorned accordingly.

At a Councill in the Councill Roome at Philadelphia, y^e^ 5^th^ day of the 1^st^ month, 1688–9.

PRESENT:

JOHN BLACKWELL, Esq^r^., Gover^r^.

Wm. Clark,	Sam^ll^ Carpenter,	Rob^t^ Turner,
Wm. Darvall,	Griff. Jones,	Wm. Markham, Secre.

The Gover^r^ ordered y^e^ Secret^y^ to read y^e^ Entrye of last Councill's proceedings. They were reade.

The Gover^r^ took Exceptions at y^e^ Entering y^e^ Secretary's dissent in y^e^ body of y^e^ order touching y^e^ Execution of the Murtherer, w^ch^ was struck out with a pen, & the Secret^y^ allowed to enter his dissent thereto in the Entry of this day's proceeding, if he thought it needfull.

The Gover^r^ also tooke Exceptions to the brief Entry of M^r^. White's Letter, & y^e^ Justices returne from New Castle, & by directions of y^e^ board they were ordered to be entred verbatim, at large, which were as followeth:

To the Honb^le^ the Gov^r^ and Provinciall Councill of y^e^ Province of Pensilvania & Territories, Gent.

I Received a certain Paper from Edward Blake, John fforat & Charles Rumsey, Justices for the County of New Castle, w^ch^ I was commanded to Record, and to send a Coppy thereof to the Gover^r^ & Council. In obedience to their commands, I have here inclosed a true Coppy of the originall, w^ch^ is all I have in charge at this time.

from, Gent., your humble servant,

JOHN WHITE.

NEW-CASTLE, vltimo, ffebruary 1688–9.

The Gover^r^ Directed that the Comittee Ordered yesterday to attend the Presid^t^, to see if there were anything could be done by way of Expedient for preventing further strifes & heats, would Report the issue of their proceeding therein with him.

Wm. Clark Reported, That pursuant to the said Order, they went to y^e^ Keeper & let him to understand that it was the Order of the Gover^r^ & Councill that they should go to him to ask if he would give any further answer to y^e Refusall of puting the broad Seale to the Commission for Provinciall Judges; to which the Keeper answered, That he thought that w^{ch} he had given in answer in writing was sufficient; And that if y^e $Gover^r$ & Councill did not look upon it to be so, if they did not approve of it, if they pleased to signify their mindes in writing wherin it was insufficient, he would give his answer to them againe in writing. This was agreed by the Comittee sent to be the substance of the Keeper's answer in words, as near as they could remember.

The $Gover^r$ declared he did not think it was their work to dialogize w^{th} any man without dores, and desired the severall members of Councill would give their opinions upon it, whether The Keeper's dealing with the board herin in that matter did not argue contempt of their authority.

Griffith Jones was troubled that the $Gover^r$ and whole Province should be so wholly obstructed from doing Justice: That y^e Keeper by these dealings is the Ruler, & not the $Gover^r$ & Councill: That he would have been glad the Keeper had complyed with that which tended to the doing Justice in the Countrey, But that by this he perceives if the Keeper lay his hand & say Thus farr you shall go & no further, to the obstructing all Justice, we must sitt still, &c. This is the way to Create animosityes & making partyes; this ought not to be suffered; It is not well, &c.: That he judged the Keeper is answerable to the $Gover^r$ & Countrey for this misdemeanor, and offered to be one of them that should charge him to make answer for it; and said, if the Keeper be thus suffered, 'tis to no purpose for us to spend our time in sitting & giving Councill here, &c.

Wm. Clark. Some things were difficult to us in the former debates concerning the Comission, Viz^t: I was doubtfull upon which Law the Commission should be grounded: much was to be said on both sides. He could be willing there might be a right understanding that we might not be put to y^e Extremity & severity.

The $Gover^r$ minded him of the issue the former debates had brought that matter to already: That it was fully agreed That the later law was fulfilled; that it did infringe the $Gover^{rs}$ Authority; (w^{ch} he had reserved out of their power by his Commission to them;) That therfore it fell of it selfe. That the former Law was cleare, viz: directing the Court to be settled yearly. That the $Gover^r$ had in his Charter Reserved the sole power of nominating & Comissioning officers to himselfe during his life, and appeald to M^r. Clark, &c., whether all those things had not been largely debated & resolved.

Wm. Clark Owned that the latter Law did infringe upon the $Gover^{rs}$ Prerogatives; He acknowledged what the $Gover^r$ said, & sayd I see there is a necessity to make use of the authority of this board.

Griff: Jones. It is the King's authority that is opposed, & lookes to me as if it were a raysing a force to Rebell.

Robert Turner said he never saw such shufling in matters of moment in his dayes: as to hearing the Keeper farther, if he had any thing that scrupled him in matter of Law, he should have answer'd those things upon the application of the Comittee to him, And he should have given his advice to them. But It appeares we have two Gover^rs & two Councills: One within and another Without. Our words & doings are carryed abroad, & come to be debated by some (among ourselves) with another Gover^r, & thereby the mindes of some persons are altered from what they have declared & moved here, (before they were influenced by those Councells,) so that we cannot proceed, which is neither for the quiet of the people nor honour of the Governor.

Severall members moved the Question might be put upon the whole, which was thus proposed by the Gover^r, Viz:

Whether upon the debate of the Keeper's answer & other passages of Contempt offering themselves upon this debate, they did not judge the Keeper to have highly misdemeaned himselfe in his office of Keeper of the broad Seale, in refusing to perfect the Commission sent him for Provinciall Judges, under the broad seale, (It was Resolved in the affirmative, Sam^ll Carpenter only dissenting,) Viz: that they did Judge he had highly misdemeaned himselfe in his said office thereby, &c.

After passing this vote Arth. Cook came into the Councill.

A paper was delivered in to the Gover^r & Councill by Ja. Claypoole, appoynted Clerk of the County of Philadelphia, informing the Board, That David Lloyd refused to deliver up the books, &c. of y^e said County Court, w^ch y^e Gover^r & Councill had ordered, Expressing that Tho. Lloyd had ordered him not to deliver the same. The tenor of which is as followeth, Viz:

To the Honb^le John Blackwell, Esq^r., Gover^r., &c., & Councill.

Wheras, by a precept from the Gover^r & Councill, I was comanded to Receive of David Lloyd the Records, papers & Seal relating to the Clark's office, and belonging to the Court of the County of Philadelphia, in obedience whereunto, upon y^e Reception thereof, I informed the said David Lloyd, & delivered it to him, who promised from time to time to deliver up the same into my hands, and this morning denyed to perform his promise, but gave me in answer that Thomas Lloyd had ordered the contrary, without whose leave he would deliver up nothing.

JA: CLAYPOOLE.

PHILADELPHIA, 5^th 1^st Mo., 1688-9.

The said Da. Lloyd was sent for to come to y^e Gover^r & Councill, then sitting. Being come, The Gover^r demanded of him if he had read the Order of that board for delivering up the papers, Records, Seale, &c. belonging to the County Court, in his Custody, to James Claypoole, appoynted to succeede him in that imployment.

He answered, yes, he had received a Coppy of such an order.

The Gov^r asked him by whom y^t s^d order was signed.

He answerd he did not remember.

The Gover^r asked if it had not a seale set to it.

He answerd yes.

The Gover^r asked if his (viz: the Gover^rs) hand was not sett to it.

He answered yes.

The Gover^{r} asked whether he had delivered the same accordingly. He answerd no.

And then produced a paper Commission, under the hand & private seale of Thomas Lloyd, dated the 1st of y^{e} 1st Mo., 1689, of the tenor following, which the Gover^{r} ordered to be read:

PHILADELPHIA,

By authority of Letters Pattent, under the Broad seal of this Province, Granted unto me by The Proprietarie & Gover^{r}, I doe hereby Constitute & appoint thee my Deputy in the office of the Rolls & Publique Records for the County of Philadelphia, & for the Entring of all Judgments of Courts, publique Proceedings of Justice, Legal Cases & of all other Instruments w^{ch} are by Law to be inrolled & Recorded, & to take such Fees therefore as are Provided: And for y^{e} Better Enabling thee to Discharge the said Place, I doe Jure Officy as Keeper & M^{r}. of the Rolls, nominate thee Clarke of the Peace, & also Clerke to the Justices For y^{e} said County, & to act therein according to Law & uncontrolled usage. Given at Philadelphia, the first day of the 1st mo., A. D. 1689.

THO: LLOYD, Keeper, & Mr. of the Rolls.

To my Trusty Friend, David Lloyd:

The Gover^{r} demanded whether he would observe the order of the Board.

He answered He would deliver up what was in his Custody either to the Secretary or to the said Ja: Claypoole that day.

The Gover^{r} ordered him to withdraw; and desired the board would give their opinion touching his answer.

The Board Resolved that they were satisfyed in his answer, That he would deliver them up according to their former order.

The Gover^{r} then againe Ordered y^{e} said Commission under the hand & seale of the Keeper should be read, Which was read accordingly.

The Gover^{r} desired their advice & opinion whether that act of his were not a high presumption & usurpation upon the Gover^{rs} authority, Declaring he did not doubt but that he might make a Deputy as Master of the Roles, for doing what appertayned to that office; but to make a Clerk of the peace to y^{e} Justices, & Clerk to y^{e} County Court, he Excepted against as having no President, The Disposing of all offices being by the Chiefe Gover^{r} reserved to himselfe for his life.

This was some time debated, with great trouble that the Keeper should so misdemean himselfe, divers attesting they had not knowne such a thing done before; After which this Question was put:

As many as are of opinion that this Commission produced by D. Lloyd, signed by Tho. Lloyd, & sealed with his owne private seale, (as farr as appeared to them,) dated y^{e} 1st of y^{e} 1st mo., 1689, naming & Commissioning David Lloyd to be Clerk to the Justices & County Court, as therin is Exprest, is a high usurpation upon the Gover^{rs} authority, declare yourselves in the affirmative by rising up from your seates. All the members present (Except Arth. Cook & Sam^{ll} Carpenter) arose upon the affirmative. M^{r}. Carpenter declareing he did not understand it, yet sayd he did not justify Tho. Lloyd.

The Gover^r proposed to the board to give him their advice concerning the disposall of the said Commission, or returning to D. Lloyd.

The Question being put, viz :

As many as are of opinion That this Commission remayne with the Secretary, to be used as the Gover^r & Councill shall think fitt, Declare yourselves in the affirmative by rising up from your seates. All the members present arose. (Except the said Arth. Cook & Sam^{ll} Carpenter.)

Adjorned till 4 of the Clock in the afternoone.

AFTERNOONE OF THE SAME DAY.

The same persons present.

The Reason of the adjornment being to be informed whether David Lloyd should that day deliver up the Records, papers, & Seale of the County Court, according as he had promised, It was Reported that he made no scruple to do it, & had done it in part; Whereupon the Govern^r adjourned till the next second day of y^e weeke, Viz : to y^e 11th of y^e 1st month, according to former order.

At a Councill held at New Castle (one of y^e Countyes annexed to y^e Province of Pensilvania) the 13 and 14th days of y^e first month, commonly called March, 1688–9.

PRESENT:

JOHN BLACKWELL, Esq^r., Gover^r.

Peter Alrichs,
John Cann,
John Dehayes,
John Symcock,
John Bristow,
Barth. Coppock,
Rob^t Turner,
Griff. Jones,
Wm. Markham, Secre.

The Gover^r acquainted the Councill that he was come thither on purpose to indeavor a setleing of those differences that had been occasioned in y^t County by the proceedings had in the case betweene John Grantham & Thomas Wollaston; which had already caused a great deale of trouble to that board sitting at Philadelphia, And as previous and in order to their better proceeding therin, The Gover^r Enquired whether the order past in the Provinciall Councill for restoring Wollaston to his possession had been observed by the Justices. M^r. Cann answered it had, & was Recorded.

The Gover^r Ordered it should be read. It was read accordingly.

Wollaston was callen in and demanded whether he had possession delivered to him according to y^e Councill's order. He owned he had the possession delivered to him, And sayd he did not question but he had the possession still, and moved That Consideration might be had of the Charges he had been at, &c.

The Question was putt whether the Returne made by the Justices was sufficient, which was carryed in the affirmative, Nemine contradicete.

The Gover^{r} being informed That Grantham's Wife was attending with a Petition, she was called in & delivered her petition, w^{ch} was as followeth, Viz^{t}:

To the Honb^{le} John Blackwell, Esq^{r}., Gover^{r}, & Councill of the Province of Pensilvania and Countys annexed, in America.

The humble Petition of John Grantum sheweth:

Wheras, your Petitioner for near three years past hath been excluded and kept out of his Just right and priveledges, by the force of certain decrees and Orders surreptitionsly obtained by Thomas Wollaston, and forcibly executed on your said Petitioner, his land and Plantation, contrary to the fundamentall laws of this Government, all which your Petitioner is greviously oppressed in, almost to the impoverishment of himselfe & family, therefore earnestly intreats your honours will be pleased to have a reheating of the matter, that Justice may flow in its due channell, whereby the oppression your Petitioner lyeth under will not only be removed, but your Petitioner restored to his former absolute right and estate; and your Petitioner as in duty bound, shall ever pray, &c.

In behalfe of my husband,

ELLENAR GRINNTEN.

Which being read in the hearing of Wollaston, the Gover^{r} asked him whether he had any thing to say against what was desired by the Petitioner.

Wollaston tenderd a Copy of the proceedings by the Provinciall Judges, signed Da: Lloyd, & Cur. pr. dict.

Granthum also produced the Copy of the proceedings by the County Court, in which the Judgment was first given, signed John Whitte, Clark.

Both w^{ch} contayning the whole matter of fact, with an account of the proceedings had therupon.

The Secretary produced the following addresse and desire of the ffreemen of the Province & Terrytorys in Assembly mett, That the Gover^{r} & Prov^{ll} Councill would be pleased to Command That the Decree and actions in that case, with all y^{e} Causes & matters thereupon depending, might be heard before them, as the supreame Judges of this Governm^{t} which is as followeth:

The ffreemen of the Province and Territorys in Assembly mett, being duly informed of a certain decree past by Arth. Cook and John Symcock, Provinciall Judges, at their Sessions held at Philadelphia on y^{e} tenth day of the second month, 1688, betweene Thomas Wollaston and John Grantum, w^{ch} appear to this Assembly to be not only very severe, but the cause alsoe seems usherd in the said Provinciall Court, contrary to any known law, or without consent of one of the Partys, and the sayd John Grantum complaining of great wrong & Injustice Sustained, the ffreemen in Assembly mett, in behalf of themselves and all the ffreemen of this Province and Territorys, dee humbly desire that the Gover^{r} and Provinciall Councill would be pleased to comand the said Decree and action, with all the causes and matters thereupon depending, may be heard before them as the supreame Judges of this Governm^t, whereby right may be done, to the honour of God, the peace and prosperity of this Province & Territorys. JOHN WHITE, Speaker.

Which being read and particularly considered by the board, Each of y^e partyes concerned being admitted to cleare matters as they could, & declaring themselves on both parts willing y^t the Gover^r & Councill should put an end to the differences between them; The Justices also of that County, & John Symcock, one of the Provinciall Judges, (then present,) desiring the same.

It appeared to the Board that the said Tho. Wollaston acknowledged a judgement in the County Court for the sum of 26lb. 15sh. good & lawfull money, justly due & owing by him upon a bond to y^e sayd John Grantum, wth Cost of suit, to be payd in current money, or wheat at money price current.

That the County Court Ordered Judgement to be enterd therupon, and granted Execution accordingly; That the Sheriffe, pursuant therunto, seized the uppermost halfe of the said Wollaston's lands, & had them appraysed & delivered upon sale by an Out crye, to y^e sayd Grintham, for 30lb. & 10sh. & gave him possession therof; That neither y^e sayd money, nor wheat in lieu therof, was payd.

That what the Provinciall Judges did decree & order in this matter was not done virtute officy, but as reserves upon bonds enterd into by both partyes.

And that the non payment of the debt, with Costs, was y^e occasion of all that great expence that y^e said Gramton had been put unto, w^{ch} arose through the said Wollaston default, and many other things being controverted between them, wherein they could not agree, they were caused to withdraw; and upon the Question put, It was Resolved & agreed, (nemine contradicente,) Viz^t:

1st. That the debt due to Grimtham was not satisfyed by the sayd Wollaston before the Sheriff's sale of the Land to Grantham.

2. That there was no just ground of Exceptions to be taken against y^e proceedings of the County Court in their judgement.

3. That the Order made by the Provinciall Judges for giving or restoring possession of y^e Land to Wollaston, was not intended to be Executed till the debt & damages were satisfyed; which y^e sayd John Symcock declared upon this hearing.

Wherupon, both partyes being called in, & indeavours used with both of them to agree the matter between themselves, & some proposalls made for that purpose, Wollaston declared he had better be without the land than pay 30lb. 10sh. for it, and that he could not pay, or give security to Grantham to pay the money to his satisfaction.

On y^e other hand, Grantham refusing to take the negro for his money, (w^{ch} was the cause of the debt,) & refusing to Grant longer time & complayning of their being undon by the vast Expences Wollaston had put them to, (which occurred to the Gover^r & Councill to be the sayd Wollaston's faylor,) and that the said Wollaston had Reed severall years use & benefit of the Negro; wheras, Gramton was out of his money all that while.

It was upon the whole matter, Resolved, Ordered & adjudged,

That Gramton be confirmed in y^e^ sale of y^e^ Lands made to him by the Sheriffe, as aforesayd, at y^e^ rate of 30lb. 10sh., and that he be also allowed the sum of 10lb., at which a certaine parcell of corne growing on the sayd Land, & taken off by Grantham Whilest he had possession, had been valued, and that this should be in full of all demands of him, the sayd Grantham, from him, the sayd Wollaston, both debt, damages & Charges:

And that the Sheriffe of the sayd County of New Castle, (at the request of the sayd Grantham,) should be required to restore & give unto him, the said Gramton, the quiet & peaceable possession of the sayd Lands, to hold to him, y^e^ sayd Gramton, his heyrs & assigns for ever; Any thing in any former order of this board conteyned to y^e^ Contrary notwithstanding:

That this be the finall conclusion & judgement of this board in that case; And that this Order shall be to the sayd Sheriffe a sufficient warrant in that behalfe.

John White, Clerk of the sayd County of New Castle, being complayned of by some of the Justices of the sayd County as one who had greatly misbehaved himselfe in his carriage towards the Justices, and so provoked them as that divers of them were discouraged in their serving the Governm^t^ in that Station, & for that cause had resolved against acting therin; and having likewise recorded a returne made by three of them to y^e^ Gover^r^ and Councill, which he acknowledged he knew to be fundamentally erronious for want of a date, and boasted that he knew it to be so before he enterd it, & y^t^ he did not acquaint the Justices thereof, & yet did it with intent that he might be even with them for finding fault with a defective transcript he had made, intimating (as appeared by attestation of James Claypoole) that all advantages against an enemy were fayre, which in effect he acknowledged, saying he would not Lye, he had not acted as a Christian therin, but rather blamed others for taking offence therat than himselfe for giving it.

The Question being put, it was resolved:

That that carriage of his in recording the sayd Returne with that intent declared by him, was a misdemeanor in his office, & argued him unfitt to be trusted with the Custody of Records any longer.

He being called in, was acquainted therewith & his Commission declared voyd.

Consideration being had of the Erroniousnesse of the sayd Returne so entred, It was Resolved:

That y^e^ sayd Record, so entred by him, should be cancelled in the County book, & was accordingly cancelled at the board, in presence of y^e^ Justices.

Resolved that the Entry of the same erronious returne made in the book of the Provinc^ll^ Councill's orders & proceedings, should also be cancelled, & was accordingly cancelled at y^e^ board, by the Secre.

The Gover^r^ produced a Letter delivered to his servant by Tho. Lloyd, the 8^th^ of March, 1688-9, directed for GOVERNOR BLACKWELL, signed Tho. Lloyd, Arthur Cook, for Jo^n^ Simcocks, dated

Philad. 7th 1st Mo., 1689, which he shewed to ye said John Simcock in the prsence of the Councill, & asked whether he owned that to be his hand.

He answerd, No: & Being askd whether he were on ye sayd 7th of ye sayd month in ye sayd towne of Philadelphia;

He answered he was not in Philadelphia since ye 2d day of the sayd month.

He sayd also, he knew nothing of it, nor had he given Tho. Lloyd any allowance to sett his hand to any thing in his absence.

The Goverr Enquired of John Simcock, John Bristow, & Barth. Coppock, whether they had not read a Commission for Justices, & holding a County Court for the County of Chester. John Symcock answerd they had. He then told them that he understood upon the Road as he came through Chester, that they, with other persons named for Justices in the sayd Commission of the peace, had not published their Comission, nor subscribed & ingaged fidelity as by Law was required before they Executed their sayd office. Also, neither had the Sheriffe of the County either publishd or owned his Commission or authority, whereby they had brought in Question all their actings & proceedings in their County Court, and that the Sheriffe had renderd himselfe incapable of making returnes of the Elections of Provinciall Councillors and Assembly members, and proposed it to their Consideration that some thing might be done to prevent the inconveniences that might arise by such iregular actings, which had brought them into a premunire.

Upon debate therof, it was thought advisable and agreed that a Generall Sessions should be called; that the Comissions should be published, & and the actions done since the vacating their former Commission, be confirmed by renewed orders made in the County Court, where & when the ffreeholders shall be for that purpose sumond & assembled, and that the same be grounded on an unwilling faylor & error in their proceedings.

Which they promised should be done accordingly. The Goverr declaring that should be satisfactory to him, he being willing to beleeve that what was done was not in contempt of authority, as he had feared.

Philadelphia ye 25th of ye ffirst month, 1689, in ye Councill Roome.

PRESENT:

JOHN BLACKWELL, Esqr., Goverr.

John Symcock,	Barth. Coppock,	John Bristow,
Robt Turner,	Samll Carpenter,	Wm. Markham, Secry.
Grif. Jones,		

The Goverr Directed ye Secry to read ye Entry of The proceedings of yd Councill at New Castle.

The said proceedings being read, Barth. Coppock remembred y^t it had been affirmed that y^e Justices of Chester had Subscribed y^e ingagement of ffeidelity to y^e Proprietor, required by Law, w^{ch} was also remembred by John Bristow, Rob^t Turner & Griff. Jones; and y^e said subscription being produced, dated y^e 5th day of y^e ffirst month, (w^{ch} was y^e ffirst day of y^e County Court's Sitting,) y^e same was ordered to be amended accordingly, &c.

Thomas Lloyd Came into y^e Councill Roome, and y^e Gover^r asking him if he had any thing to say to the board, He answered that he was Come to present himselfe as y^e Law required, wthin twenty days after Election.

The Gover^r told him he knew nothing of it: There was no returne made thereoff by y^e Sheriff.

Tho. Lloyd replyed there was no need of his returne, as y^e Gover^r would ffinde if he look'd into y^e Charter, &c.

The Gover^r tould him he Could take no notice of any Election till due returne be made, and therefore if he had nothing Else to offer to y^e board, desired him not to Interrupt their proceedings; they were Entred vpon a matter of another Consideration. Thomas Lloyd said, He vnderstood some thing had been moved about y^e adding y^e Welsh towns or tracts to the County of Chester, and if any Such thing were proposed desired they might be heard.

The Gover^r told him no such thing was yet brought before Them; But that if any such thing were wherein it should be found requisite to hear them, they Should have notice thereoff.

adjorned till 3 in y^e afternoon.

POST MERIDIAN.

Present as in y^e fforenoon.

The Secretary produced a Petition ffrom severall Justices and Inhabitants of y^e County of Chester, directed to y^e Gover^r and Councill. The Gover^r asked by whome Subscribed: 'twas answered by none. He replyed He should not receive it without a Subscription: it was delivered to y^e persons who attended about it. They Subscribed it.

The Gover^r then directed it to be read: it was read; y^e Coppy Thereoff ffolloweth. (viz:)

To JOHN BLACKWELL, Esq^r., Gover^r, and the Provinc^{ll} Councill of Pennsylvania, &c.

The Humble Petition of y^e Justices of Chester County, in the behalfe of themselves and Inhabitants of y^e said County, Sheweth:

That whereas, y^e said County is but of a Small tract of Land, not above 9 miles Square, & but Thinly seated, whereby y^e said County is not able to Support the Charge thereoff; Vppon our humble Request to The Proprietor & Gover^r, and his Serious Consideration of our weak Condition, was pleased out of Compassion to vs, to grant an Enlargement of y^e same, in manner ffollowing, viz: to runn vp ffrom Delaware River, along darby mill Creek, y^e severall Courses thereoff, vntill they took in Radnor and Herford Townshipps; Then downe to y^e Skoolkill; Then vpwards along the severall Courses thereoff, without Limmitt.

Therefore, wee humbly pray you will be pleased to Confirme y^{e} said bounds, whereby the County of Chester may be in some measure able to defray their necessary Charge, and wee Shall, as in duty bound, &c.

It was signed by Jo^{n} Blunston, Tho. Brassie, Rand^{ll} Vernon, Caleb Peusey, Tho. Vsher.

The Gover^{r} Demanded of y^{e} Petitioners how they would make out their alligations.

They began to relate some passages w^{ch} had passed ffrom y^{e} Proprietor about settling the bounds of y^{e} County of Chester.

The Gover^{r} Directed them to withdraw, and putt what they had to say and Could depose into writeing: they went fforth and brought in their severall attestations ffollowing, w^{ch} were read, viz:

I, John Blunstone, as in relation to y^{e} Devision of Chester County ffrom Philadelphia, doe thus testifie, that a ffew days before Gover^{r} Penn left this Province, that vpon y^{e} bank, by John Simcock's house, I moved him to Deside this matter that had been so long Discoursed, who then, before me and Others, did Declare that y^{e} bounds Should thus runn ffrom the mouth of Bow Creek to Mill Creek, w^{ch} should be y^{e} bounds vntill it come to y^{e} Land of Herford, and then to take in the Townds of Herford & Radnor; from thence to the Skoolkill, and take in his mannour of Springtowne, by w^{ch} our Pattents Holds: then I asked him if he would be pleased to give it vnder his hand, to avoyde ffurther Trouble, who answered he would, if any of vs would Come the next day to Philadelphia in order therevnto: one was sent, but what then obstructed I am not certaine, but y^{t} y^{e} Gover^{r} Departed about two days after: was signed JOHN BLUNSTON.

Randall Vernon sayeth, that some time since Wm. Howell of Harford, Signified vnto me, and gave it vnder his owne hand, y^{t} some time after they there Settled that he asked y^{e} Gover^{r} to what County they Should be joyned or belong vnto, & The Gover^{r} was pleased to answer him that they must belong to Chester County: was signed R., the mark of Rand^{ll} Vernon.

Our Proprietor and Gover being pleased to grant to me a Commission to be Sheriff of The County of Chester, was pleased some time after to Express himselfe to me to this purpose: Thomas, I perceive that the Skoolkill Creek Comes or runs so vpon the back of Philadelphia, that it makes y^{e} City almost an Island, so that a Robbery or the like may be there Committed and y^{e} offender gitt over y^{e} Creek and so Escape for want of due persute, &c., therefore, I intend that y^{e} bounds of Philadelphia County Shall Come about 3 or ffour miles on this side of the Skoolkill, and I would not have thee to take notice or to oppose that Sheriff in y^{e} Execution of his office, about Kingses, or the like, but I intend to Enlarge this County downewards to Brandywine: assertained by me, THOMAS VSHER.

Some of the members of the Prov^{ll} Councill asserted the Substance thereof, and that y^{e} same was agreeable with the mapp of the Province.

The Survey^{r} Gene^{lls} Deputy was sent for, who showed the bounds of the County ffrom the mapp, and being asked by y^{e} Gover^{r} by what order it was sett out, answered it was so ordered by y^{e} Gover^{r} & Provinciall Councill, as would appear by y^{e} Coppy of y^{e} minutes of their proceedings, w^{ch} he produced.

The Gover^{r} Directed that the minutes themselves might be serched, & Compareing the same Coppy with the Entry, ffound them agree in Substance.

'Twas observed by y^{e} Gover^{r} and Councill that y^{e} mapp of The Province was the work of Thomas Holme, Survey^{r} Gene^{ll}; that it was dedicated to y^{e} Proprietor by y^{e} Publisher; that many Coppys had been published in England and here in this Province, by w^{ch} y^{e} same was made notorious to all men's observations & Knowledg, wthout Controll or Question, and that 'twas likely many Conveyances of Lands might have been passed, Expressing the Situations to lye in the Respective Countys; as they were therein Expressed, and that to Disallow thereof, for y^{e} Boundary's might be of ill Consequence on that acco^{t}. 'Twas asserted that the Welsh Inhabitants had Denyed themselves to be any part of The County of Philadelphia, by refuseing to bear any share of Charges, or serve in office or Jurys, and the like, as to y^{e} County of Chester.

That the pretence thereof was they were a destinct Barrony, w^{ch} tho' they might be, yet that severall Barronys might be in one and y^{e} same County.

The Gover^{r} and most of The present members of Councill Declareing themselves satisfied Concerning their being a part of Chester County vpon y^{e} grounds alliged and proved as aforesaid, Yet,

ffor as much as Thomas Lloyd had desired they might be heard before it were determined, Sam^{ll} Carpenter was desired to acquaint him that if he, the said Thomas Lloyd, should think ffitt so ffarr to Concerne himselfe therein as to appear in their behalfe, or any other, to shew cause why they should not be Declared to be of the County of Chester, (as the Proprietor had promised,) they might have liberty so to do before the Gover^{r} and Councill to morrow, between 9 & 10 in the forenoon, otherwise the Evidence seemed so ffull as that they should proceed to Declare their judgment therein.

James Claypoole, Clark of The County Court of Philadelphia, by an address to y^{e} Gover^{r} & Councill, Complayned that David Lloyd refused to Deliver vp the Records and proceedings of the County Court in the time of his being County Clark, and some of the justices also informed the board thereof, and that many prejudices had happned by y^{e} Clark's not haveing them. David Lloyd being sent for, said he had not had time to doe it, haveing been ingaged in a removall of his goods, &c., but said he would doe it as soon as he Could: the Gover^{r} Declared to him there being a County Court to sitt this week, where they would be needed, that if it were not don in two days he Should take a Course with him to Compell him, w^{ch} he advised him to prevent, and Caused him to withdraw.

Wm. Cloud his Petition was read, setting forth his being taxed for y^{e} Levies of one and y^{e} same tract of Land in both y^{e} County of New Castle and y^{e} County of Chester, the w^{ch} tract of Land was Laid out as in the County of Chester, and was part of ffive hundred acres He bought in England of the Proprietor.

Ordered that the Secretary write a Letter in the name of the Gover^r and Councill, to y^e justices of The County of New Castle, to Inquire into that matter, and to Certifie to y^e Gover^r and Councill the grounds of their haveing interrupted him, as is therein Expressed, if it so proved, w^th what Convenient Speed they Could, and in the meantime to Suspend the Levying y^e payment Complayned of till ffurther Order.

At a Councill in the Councill Room at Philadelphia y^e 26^th of y^e first Mo., 1689.

PRESENT:

JOHN BLACKWELL, Esq^r., Gover^r.

John Bristow,	Wm. Yardley,	Griff. Jones,
Sam^ll Carpenter,	Rob^t Turner,	Wm. Markham, Secret^r.

The Gover^r directed the Entryes of yesterday proceedings in Councill should be read.

They were read. As also y^e minute of y^e Councill touching the ascertayning the dividing lyne betweene the Countyes of Philadelphia & Chester, dated y^e 1^st of 2. Mo., 1685.

The same were reviewed & observed by Mr. Yardly. In so much as he exprest himselfe he Could not see what was to be sayd against it.

Sam^ll Carpenter declared he thought the Welsh people & inhabitants of Philadelphia County should have longer time. Also Mr. Yardly was of the same minde. The Gover^r thought there was no need of them, the matter being so playne, But directed, if any were attending they should be called in.

The Secretary went out to see if any persons appeared on their behalfe, according to the Liberty Granted & directed to be intimated to Tho. Lloyd, at his motion yesterday.

Tho. Lloyd & John Eckley appeared, and the Gover^r asked them if they had any thing to object (on the behalfe of y^e Welsh people) against the Running of the lyne as appeared by the map, which added them to y^e County of Chester.

Tho. Lloyd sayd the Proprietor had given them grounds to Expect they should be made a County Pallatine. The Gover^r ask'd if any such thing had beene past: nothing appeard.

Tho. Lloyd askd the Gover^r by what authority these dividing Lynes were drawne.

It was answerd by the forementioned Order of the Councill, (as farre as concerned this matter,) which agreed with the severall depositions of what had been promised by the Proprietor, and also with the map-lynes, &c. Some other discourses past, but nothing materiall offerd against the thing; Only Tho. Lloyd declared his opinion, That some more time should have been allowed for their appearing to make their Exceptions. He also demanded of the Gover^r whether the

Proprietor had power of himselfe to divide the Countyes, or whether the Proprietor & Councill. The Gover^r^ answerd that by y^e^ said Depositions, minutes & map, it appeard to be done by both in this case.

John Eckley declared he had nothing to say, but that he thought further time might be allowed in the matter. The Gover^r^ tould him he did not think that the Gover^r^ & Councill could doe nothing about limits, but with the popular allowances.

They both being with-drawne, The Question was put, viz^t^: as many as are of opinion that the bounds of the County of Chester Exprest by the dividing line marked in the large map of the Province, dedicated to y^e^ Proprietor, and being according to the Order of the Provinciall Councill dated y^e^ 1^st^ of y^e^ 2^d^ month, 1685, are, and shall be hereafter, held and esteemed the bounds & dividing lyne betweene y^e^ Countyes of Philadelphia & Chester, declare yourselves by rising up from your seats.

It was carried in the affirmative, by Rob^t^ Turner, Griff. Jones, John Bristow & Wm. Markham (agreeing with the Gover^rs^ sense.)

Sam^ll^ Carpenter declaring the ground of his being in the negative was not that he was against the thing, & thought it would be & was best so; only because that he thought the Welsh people & People of Philadelphia should have had longer time for making their defence. M^r^. Yardley of the same minde.

M^r^. Bristow brought in the Sheriff's Returne of Ellections for members to serve in the Prov^ll^ Councill and Assembly for the County of Chester. The Secretary offerd the like Returne, made for the County of New Castle: both were read & referred to further Consideration.

A Petition was presented to the Gover^r^ & Councill by Humphrey Morrey, Phill. Richards, phillip James, Will. Lee, for leave to build a wharfe on the side of Delaware River, against y^e^ End of y^e^ Chesnutt street, which was read and some things spoken to it; But

The further Consideration thereof Referred to the next Sixth day of this week.

Adjourned to y^e^ 6^th^ day, being y^e^ 29^th^ instant, at 9 of the Clock in the forenoone.

At a meeting of The Councill in the Councill Roome in Philadelphia the ffirst of The second month, 1689.

PRESENT:

JO^n^ BLACKWELL, Esq^r^., Gover^r^.

Grif. Jones,	Luke Watson,	Joseph Growdon,
Wm. Yardley,	Sam^ll^ Carpenter,	Wm. Markham, Sec^ry^.
Barth. Coppock,		

The Gover^r^ ord^ed^ the Entrys of y^e^ Last daye's proceedings in Councill should be read: they were Read accordingly.

The Gover^r^ Directed y^e^ Returne made by y^e^ sheriff of y^e^ County of Sussex of members to serve in Provinciall Councill & assembly should be Read.

Wm. Clark & Jo^n Hill, members Returned to serve in Provinciall Councill, were directed to withdraw.

Consideration was ffirst had of Wm. Clark's Election, who had served Six years before, wherevpon Sam^{ll} Carpenter moved to have that part of y^e Charter read w^{ch} directs that after y^e ffirst seaven years the persons going off should be vncapable of being Chosen againe ffor one year ffollowing, &c.

The same was Read:

And vpon the debate it was resolved, Nemine Contradicente, that y^e Returne of Wm. Clark was good, and that there was no Exceptions to be taken against him, but that he subscribing y^e obligation of a Pro^{ll} Councillor, Should be admitted to take his place: which he subscribed, and was admitted accordingly to sitt in Councill.

Consideration was also had of Jo^n Hill. Jos. Growdon desired y^e writt Issued for his Election might be read: the same was read, and vpon debate it was resolved that y^e Returne of Jo^n Hill was good, and that there was no Exceptions to be taken against him. Jos. Growdon, Barth. Coppock, & Wm. Yardley desenting. He was Called in, & subscribeing, took his place in Councill.

Wm. Stockdale being returned to serve ffor y^e County of New Castle, vpon the debate it was resolved, nemine Contradicente, that y^e Returne was good, & that there was no Exception to be taken against him: he was Called in, and vpon his subscription was admitted to take his place in y^e Councill.

John Symcock being returned to serve as a member of Councill ffor y^e County of Chester, vpon y^e Debate it was resolved, nemine Contradicente, that y^e Returne was good and that there was no Exception to be taken against him. He was Called in, & vpon his subscription was admitted to take his place in the Councill.

John Curtis being returned to serve as a member of Councill ffor y^e County of Kent, and y^e Returne also read, Griff. Jones acquainted y^e board y^t y^e said Curtis had been fformerly accused by some desolute persons of treasonable words. Wm. Clark, one of y^e Judges appoynted on y^t occasion, said y^e words were not Treasonable, and y^t y^e Grand Jury did returne y^e bill Ignoramus, &c., and so said Griff. Jones. Js. Growden said that Curtis was well reputed in his County, &c.: vpon debate it was resolved (nemine Contradicente) that there was no ground of Exception against him. He was Called in, and vpon his subscription admitted to take his place in y^e Councill.

Jo^n Eckley was Returned by y^e Sheriff to serve as a member of Prov^{ll} Councill ffor y^e County of Philadelphia, but with submission to y^e board ffor that ffifty or sixty welsh men who were not of that County had joyned themselves in y^e Vote, y^e Gover^r desired y^e Councill's serious Consideration touching that Returne, and ffor their ffuller information, directed y^t y^e Entrys of y^e Councill's proceedings in their debate touching y^e bounds and lines between y^e County of Philadelphia & Chester, viz: on y^e 25th & 26th days of y^e Last month, should be read. They were Read; And vpon debate it was Resolved y^t y^e Election of Jo^n Eckley to be a member of Prov^{ll} Councill for Philadelphia County, ffor y^e Reasons advertised in y^e Returns thereof, given by y^e sheriff, was not a good election, according to y^e Charter and Rules therein in that behalfe, Sam^{ll} Carpenter, Jos. Growdon, Wm. Yardley & Wm. Stockdale only dissenting.

The Gover^r therevpon declared he would Speedily Issue out a new writt ffor Chuseing not only ffor Jo^n Eckley, but for Sam^{ll} Richardson, to Supply his place for y^e Remainder of his time, he haveing misdemeaned himselfe in Councill. Jos. Growdon moved that y^e Returne of Thomas Loyd ffor to serve as a member of Prov^{ll} Councill ffor y^e County of Bucks might be Considered: y^e Gover^r said it was late and y^t he had some thing to say ag^t it, w^{ch} he would declare to them at next sitting, w^{ch} was appoynted y^e next day, viz: y^e 2^d of y^e 2^d month, at 9 of y^e Clock, and adjorned accordingly.

At a Councill in y^e Councill Roome at Philadelphia y^e second day of y^e second month, 1689.

PRESENT:

JO^n BLACKWELL, Esq^r., Gover^r.

Griff. Jones,
Jos. Growdon,
Luke Watson,
Jo^n Hill,
Wm. Stockdale,
Jo^n Symcock,
Barth. Coppock,
Wm. Clark,
Sam^{ll} Carpenter,
Wm. Yardly,
Jo^n Curtis,
Jo^n Bristow,
Wm. Markham, Sec^{ry}.

The Gover^r directed that y^e Entrys of yesterday's proceedings of y^e Councill should be Read: they were Read: y^e Gover^r acquainted y^e board he should begin with y^t matter w^{ch} was Last mentioned; w^{ch} was to acquaint them wth what he had to say against y^e admitting y^e Returne of Thomas Lloyd to set as a member of Prov^{ll} Councill ffor y^e County of Bucks, and made a Large discourse of y^e powers granted him by y^e Propri^{ors} Commission fformerly granted to y^e Provin^{ll} Councill and Comm^{rs} of State, to w^{ch} there was Reference made by his said Commission.

And perticularly setting fforth how the said Thomas Lloyd had by his miscarriage in sundry respects, obstructed his, y^e said Gover^{rs}, proceedings in y^e Discharge of his Trust. And haveing delivered in a paper Conteyning the heads of Severall articles of high misdemeanors, Crimes and offences, Where with he Charged y^e said Thomas Lloyd, in y^e name of y^e Proprietor & Cheiff Gover^r, (w^{ch} he directed Should be Read, and was read accordingly,) He proposed a Committee might be appoynted ffor Considering y^e same, &c., ffor preparing and makeing ready in Due fforme, articles to be prossecuted and proved against y^e said Thomas Lloyd, and that therevpon he might be brought to a tryall, to be managed in y^e Proprietor's name. Joseph Growdon moved that Sam^{ll} Richardson might be admitted to Sitt and act as a member of Councill ffor y^e County of Philadelphia.

The Gover^{r} told him his misbehaviour had been such as had Excluded him, & that he had given Direction for a writt ffor a new Election of one in his Stead: he, y^{e} said Joseph Growdon, moved also y^{t} y^{e} vote that had past yesterday touching y^{e} Returne of y^{e} Election made by y^{e} Sheriff of y^{e} County of Philadelphia, might be past by y^{e} Ballott. The Gover^{r} told him it Could not be admitted; it was yesterday past by y^{e} vote as had been vsuall, & 'twas affirmed y^{e} ballotting box had never been made vse off on any such occasion, and that he saw no reason to make vse of it in that Case.

Adjorned till To morrow morning, 9 of y^{e} Clock.

At a meeting of the Councill in the Councill roome in Philadelphia, the 3^{d} day of the 2^{d} month, 1689.

PRESENT:

JOHN BLACKWELL, Esq^{r}., Gover^{r}.

Jn^{o} Symcock,
Jos. Growdon,
Jn^{o} Bristow,
Wm. Yardly,
Wm. Clark,
Jn^{o} Hill,
John Curtis,
Wm. Stockdale,
Barth. Coppock,
Sam^{ll} Carpenter,
Griff. Jones,
Luke Watson,
Wm. Markham, Sec^{ry}.

The Gover^{r} directed the last Entry should be Read; they were Read accordingly.

The Gover^{r} was entering upon a discourse touching the heads of the articles of charge exhibited against Tho. Lloyd, But whilest he was speaking Sam^{ll} Richardson, a late member of Councill, came into y^{e} Councill roome and sate downe at y^{e} table.

The Gover^{r} askd him if he had any thing to say to y^{e} Councill.

He sayd He came to discharge his duty as a member of that board.

The Gover^{r} tould him he had beene dismist for his misdemeanors in Councill, and that a writt was ordered to be issued for Electing another in his Roome. He demanded for what. He knew nothing he had done, but that he had sayd thou wert a Deputy Gover^{r}, and that he was ready to make good; and added, He was never heard; He was never heard; and had asked for a Copy of the minute & could not have it.

The Secretary sayd: He spake to him therof in the Street, but never came to him for it.

The Gover^{r} tould him It was Enterd, and that his behaviour was with so great contempt of the authority of the Proprietor & that board, as could not be borne; And therefore, Required him to withdraw, which he Refused: thereupon The Gover^{r} declared that if the Councill did think fitt to suffer such interruptions to his & their proceedings, and so high affronts to be given him sitting there, & there was no way to prevent the Coming of persons, He would adjourne the Councill to another time, and provide for his being kept out by some officer he would appoint to keepe the doore.

The sayd Richardson continuing there, and there being a Silence, The Gover^{r} adjourned till two of the Clock in the afternoone.

POST MERIDIAM.

The same persons present.

The Gover^{r} acquainted the board That he thought fitt That the heads of the charge he had exhibited against Tho. Lloyd should be prepared: and that as he had when he delivered in the same, propounded A Committee might be appoynted for that purpose.

Joseph Growdon sayd: He thought it was fit That the businesse of Sam^{ll} Richardson should be considered, that the board might be filled with their members, and that he questioned whether the Councill had power to Exclude a member chosen by the people, for then they might all be Excluded at pleasure, &c.

The Gover^{r} tould him He doubted not to Exclude him or any member whatsoever, that should misbehave himselfe as he had done; and sayd, It is the undoubted privilege of all Courts & Corporations to judge the misbehaviours of their owne members sitting amongst them, and that his misbehaviour had been insufferably great in their opinions, and was comitted in their view, & consequently, That none could be so prepper judges therof, and they had so adjudged it. He also Added, that many facts done in the view of one justice of the peace, Was sufficient for conviction, & Recording it.

It was moved, The proceedings might be read: they were Read. It was objected that y^{e} Exclusion was but conditionall, and moved That he might be allowed to acknowledge his offence, or Fined, &c.

The Gover^{r} sayd He knew not that they could ffine him. That it was to late to admitt his acknowledgement if he should tender it now, for that a writt was ordered to be issued for a new Election, which had beene notifyed by the Sheriffe. Besides, that there seemed to be little probabillity of his Submission, for It might be observed how that when he appeared in the morning, as he offerd no such thing, so he stood upon his owne innocency & vindication, saying He Knew nothing he had done; and when he had been ordered by the Gover^{r} to withdraw, he had refused so to do, and had inforced him to adjourne the Councill whilest he was present.

In fine, That the affront was insufferable. That it had been allready adjudged; and that he should not sitt there to suffer such abuses & affronts, nor would he bear them from any member sitting at that board; and that he would advertise the Proprietor accordingly, and abide his Censure.

Many intemperate Speeches & passages happend, fitt to be had in oblivion.

The Gover^{r} desired therefore, They would forbeare all provoking heats & annimosityes in their further proceedings, and proposed againe, That a Comittee might be appoynted to prepare & forme the charge against Tho. Lloyd, for that before they enterd upon preparing Bills, It was fit they should be in a Capacity to make them & Execute them when made Laws, which could not be till those things were considered, and due remedyes applyed, and that depended thereon, The sayd

Tho. Lloyd assuming to himself to render all their attempts insignificant whilest he refused to set the Great Seale in cases Requisit.

Here againe arose some warme debates, divers of the members expressing their in-ordinate affections for the sayd Tho. Lloyd; and saying they could not (& one of them he would not) believe him to be such a person, & so guilty as was mentioned in the Charge.

The Gover^r^ tould them the things would be proved.

Some moved that he might be sent for and heard what he had to say for himselfe, before there were any further proceedings, saying it may be he could give the board satisfaction.

The Gover^r^ Replyed The articles were not finished, and It was against all the Rules of judiciall proceedings to Require a man to answer till his charge was ready. He added, That he had in the name of his master charged him with crymes, offences & misdemeanors, which were well known to himselfe, the Gover^r^, and to divers other members of that board present to have been comitted by him. That when the charge was ready He should be sent for. It should then be Read to him and his answer required, and a Coppy therof & time given him for making his deffence. But that divers of the things were so well known to be true, and were of so high a nature, and so mischievous & obstructive to his and their proceedings in the Governm^t^, as by the Charter and Laws was required, that without application of due remedyes it was in vayne for him & them to sitt there, (w^ch^ was likewise declared to be the opinion of divers of the members present; but was of little esteeme with others, on the account of their tendernesse towards him,) and the sayd motions rejected in such warme Expressions as are not fitt to be Recorded.

It was objected by some that such proceedings against such a person would be of ill consequence to the Contrey at this time, in that it would discourage persons from coming over amongst them, &c.

It was answered That on the contrary, if partiallity were used, that would more discourage persons; Especially where justice required their detestation of such things comitted by friends, if they should not Testify against it, &c.

The Governor tould them It was needfull to lay aside affection, & to do justice on the behalfe of the Proprietor & people, and tould them, if they should not think fitt to direct a further proceedings, he would himself appoynt some persons to do what he had moved, in order to the perfecting the charge, and preparing, methodizing & mannageing the evidence.

It was answered by some, He might if he would; they were not satisfyed in it.

Wherupon the Gover^r^ thought fitt to give them a dayes respit to consider what they would do.

It was moved They might sitt in a grand Comittee amongst themselves.

The Gover^r^, (being aware of what was indeavord abroad,) &c., Replyed, He saw how hard a matter it was for them to keep within y^e^ bounds of due respect to each other: That he did not therefore think fitt to allow therof unlesse himselfe were present, as he conceived it was his duty to be at all their meetings & transactions in publique affayres.

It was answered that would not do, &c.

Thereupon the Governor adjourned the Councill untill the 5th day of the month, at nine of the clock in the forenoone.

At a Councill mett in the Councill Roome in Philadelphia, the 5th of ye 2d Mo., 1689.

PRESENT:

JOHN BLACKWELL, Esqr., Govr.

Wm. Clark,
Per Alrichs,
Luke Watson,
Jno. D'Haes,
Jno. Hill,
Griff. Jones,
Jno. Symcock,
Jno. Bristow,
Wm. Stockdale,
Jos. Growdon,
Wm. Yardly,
Barth. Coppock,
Samll Carpenter,
Jno. Curtis,
Wm. Markham, Secre.

The Governor & Councill being assembled & Sate, were entring upon businesse, But were interrupted by Tho. Lloyd's comming in, in manner following, vizt:

The Goverr asked him if he had any thing to say to the Councill.

He answered that he came to take his place & do his duty as a member of that board.

The Goverr tould him, There was nothing Expected of him untill he should have given satisfaction to ye board touching severall high crimes, offences & misdemeanors, wherewith he stood charged. And therefore desired him to withdraw & not to hinder their proceedings. He Replyed, (amongst other things,) He had as good Right to sitt there & give his advice as the Goverr had to be Goverr. That he had a double Right, &c. The Goverr tould him It was not so judged, &c,. and in as much as he would not withdraw the Goverr adjourned to his owne Lodgeing in Philadelphia, and arose; Requireing the members of of the Board to attend him there forthwith.

Most of the members stayed some time, during Which there were so sharpe & unsavoury Expressions used by him, the sayd Tho. Lloyd, to the provoking divers of ye sayd members, some of which were heard by the Governor himselfe, whilest he stayed without the doore, & others of wch was acquainted by the Secretary, who came out to him & tould him they were in such heats & quarrellings as he believed would not Easily End If the Goverr did not returne & comand their departure. The Governor Returned and Required of him, ye sayd Tho. Lloyd, that he should depart; and likewise the members of ye Councill, that they forthwith attend him to ye place to wch he had adjourned them. Some of them, to the number of 6 or 7, went away with the Governor, and the Rest came all of them in a short space afterwards.

Being sate, The Governor directed the Entryes of y^e^ last daye's proceedings might be Read: they were read.

Some Exceptions were taken against some parts of it by Sam^ll^ Carpenter: the Gover^r^ thereupon directed they should be read over, in parts, That notice might be taken of the particulars.

Joseph Growdon declared himself against the whole, but in reading that part wherin it was exprest That he questioned wether the Councill had power to exclude a member chosen by the people, for then they might be excluded at pleasure: he sayd he did not remember that he used the words at pleasure. Also, y^e^ words [they were Read therevpon] Excepted ag^t^ agreed to be put out.

Sam^ll^ Carpenter sayd, He did not know That any intemperate speeches had been used, and moved That part might be omitted in the Entryes.

The Gover^r^ Replyed he judged them to be so. John Symcock Exprest his desire that y^e^ word [in-ordinate] where it is sayd divers of the members expressing their in ordinate affections for y^e^ sayd Tho. Lloyd. The Gover^r^ Replyed that was his sence of it, for that he could not prevayle with them to put the charge into a way of procedure, &c.

This being over, The Governor desired they would severally declare their opinions, whether That interruption & disturbance to their peaceable sitting in the Councill Roome, made & given by Tho. Lloyd, were not a misbehaviour in him: divers of them particularly & expressly declared they so adjudged it, and that it could not be judged otherwise: Others were of a contrary opinion; and some would not speak as to y^e^ behavior or misbehavior, but declared obliquely, viz: One that it was not his opinion That Tho. Lloyd came there with intention or designe to misbehave himself; some That his coming to demand his right was not a misbehaviour; others y^t^ they were not present at y^e^ begining & did not see any misbehaviour; others that there was not any likelyhood of their going together by the ears, as had beene affirmed.

Wm. Clark sayd no member of Councill ought to challenge a place till his qualification be judged by the Councill; he doubted not but Tho. Lloyd was duely Elected; but there was a high charge against him, and in such cases It had beene the usuall method of the proceedings of that board not to admitt members returned till they had cleared themselves, for that till then he is to be look'd upon as a person that may be guilty, at least by some persons, and that till he be cleared he ought not to attempt to take the seate of a member at the board. John Hill sayd that was his case: he was not admitted after long attendance, and that though he had not spoken or acted as Tho. Lloyd had done, yet Tho. Lloyd said he ought to be bound to the good behaviour, &c. Joseph Growdon moved for y^e^ Ballot. The Gover^r^ answered He had not heard that ever it was used in Councill before he came. But now that he had heard their severall opinions, He would take it upon himselfe to Exercise his authority, as he was directed by the Honb^le^ Prop^or^ & Chief Governor, for suppressing all factions, Seditions & animosityes, and so past off from that debate.

The Gover^r moved to know their mindes whether they would enter upon the consideration of preparing bills to be past into Laws, & tould them he would put the businesse of the charge against Tho. Lloyd, into a way of perparation for their proceedings theron: after many thinghs sayd in debate, The Governor proposed this Question, Viz^t.:

As many as are of opinion That this Councill shall proceed upon the businesse of preparing bills to be past into Laws, and that there is a sufficient number to proceed theron, declare yourselves by standing up from y^r seates. It was carryed in the affirmative by Eleaven of 15 voyces of y^e members present. The 4 dissenters were Sam^ll Carpenter, Jos. Growdon, Wm. Yardly and Jn^o Bristow.

And in order to their better proceedings therin, It was Resolved and ordered,

1. That the Rolls of all the Laws and ingrost lawes of this Province & Countyes annexed, appoynted by the King's Letters pattents, to be published under the seale, shall be brought before this board by the Keeper & master of the Rolls, or his Deputy, in order to the consideration of them, whether they have that Sanction which the Patent & Charter requires.

2. That the time for bringing them in shall be at y^e next sitting of the Councill.

3. That Wm. Clark, John Symcock, & Jn^o Bristow, do attend the Keeper with these Resolves.

Adjorned till nine of y^e Clock to morrow morning.

At a Councill in the Councill Roome at Philadelphia, y^e 6^th of y^e 2^d month, 1689.

PRESENT:

JOHN BLACKWELL, Esq^r., Gover^r.

John D'Haes,	Jn^o Symcock,	Wm. Stockdale,
Pet^r Alrichs,	Barth. Coppock,	Jos. Growdon,
Wm. Clark,	Griff. Jones,	Wm. Yardley,
Luke Watson,	Jn^o Curtis,	Wm. Markham, Secre.
Jn^o Bristow,	Jn^o Hill,	

The Gover^r directed y^e Entry of the proceedings of the last Councill should be Read. They were Read.

Wm. Clark (in presence of John Symcock & Jn^o Bristow) Reported to y^e Councill That In obedience to y^e Resolves & order of y^e board past at the last sitting, they did go to the Keeper & Master of the Rolls to acquaint him with those Resolves, & did acquaint him therwith; upon which he ask'd whether or no that they were to deliver as a message was by word of mouth or in writing. That they answered, That they had not any distinct comand about that, but that he had a Coppy of the sayd Resolves, which he delivered to him; and that after he had perused it, the Keeper returned this answer: That he would prepare his answer for it. That he asked the Keeper when it might be expected, & told him it was desired the board might have it this morning. The Keeper answer'd He should take care of it.

The Keeper presented himselfe in the Councill roome.

The Gover^{r} acquainted him with the substance of the Resolves, and that the Comittee appoynted had Reported. That he sayd he would give in his answer.

The Keeper tenderd his answer in writting, w^{ch} was read by y^{e} Secre. and is as followeth, Viz^{t}:

To the present Gov^{r} & members of Prov: Councel.

I received y^{r} Resolves this Evening late, of my bringing to your next Councel the Rolls of all the Laws & Ingrossed Laws of this Prov. & Territories, appointed by the King's Letter's Patents to be published under the Seal; Truely I know n^{t} any such Laws, either in Rolls or ingrossem^{t}, so appointed to be published, neither can I understand by your Order what Seal is meant, whether the Greater or Lesser: neither have I declined my Duty in inrolling or legally recording any Laws w^{ch} the Gov^{r} & Councel, or General Assembly, have Recomended or directed to my Office: The Truest ingrossed Copy of the Laws w^{ch} I know of is that which belongeth to & was used at the Board by the Proprietarie & Gover^{r}. & as I suppose, may Conteyn all the Laws made Since, & which Copy was generally perused upon Legislation. A fuller answer I cannot well give in so short a Time, but shall endeavour personally to returne you further satisfaction to what Questions you may propose herein.

THO. LLOYD, M^{r}. of the Rolls.

PHILADELPH. the 5^{t} sec M^{o}., 1689.

The Gover^{r} asked the Keeper whether any Laws of this Centrey had been past or published under y^{e} Great Seale: He answered The Originall Charter (which now remayns in his custody.) was past under the Great Seale, but no other Lawes that he knowes of, Except y^{e} act of union, were, which in y^{e} close therof is sayd to be past under the Great Seale, but he knows not where that is, or whether it were past under the Great Seale or not.

The Governor askd the Master of the Rolls Whether the Laws were enrolled in parchm^{t} Rolls, as by the Charter & his Comission of Master of the Rolls is required. He answerd. None but y^{e} first 60 Laws past at Chester had been inrolled; That their inrollm^{t} was before his time: and he could not say that those Rolls were authentique Coppyes: and that he did not know any better Coppy of the Laws than that w^{ch} the Councill hath.

Some Question arose whether the Laws were to be published under the Great or the Lesser Seale. The Gover^{r} declared That by y^{e} Letters patents from the King, they were to be published under y^{e} Seale of Wm. Penn or his heirs, and that by the Proprietor's Comission to the Keeper of y^{e} Great Seale, He was appoynted to passe them under the Great Seale.

Griff. Jones proposed that the Inrolled Coppyes of the first 60 Lawes might be compared with the Coppy used at the Councill, and that the Councill's book of Laws might be sett right for so farre. Approved therof: & in order thereunto, The Gover^r proposed, That those Rolls should be brought to y^e Councill & compared, for that purpose. The Keeper promised The Rolls should be delivered to y^e Secretary, or whom the board should direct, & left with them for the space of a week, or such time as they should think fit, in order therunto.

The Gover^r Proposed That the Comittee sent yesterday to the Keeper might be desired to attend the Keeper for the Receiving the sayd Rolls.

The Comittee went, and after a short space returned with three parchm^t Rolls, conteyning the Enrollment of 69 Lawes, according to the numbring of them with figures.

The Board Refered them to the Secretary, to be Examined by comparing them with the Councill's book of Laws, and directed That if he found any variations in the numbring or Coppying of them, such variations should be Reported to y^e board at next sitting.

Adjourned to the 2^d day next week, at 10 of y^e clock in the forenoone.

At a Councill in the Councill Roome at Philadelphia y^e 8th of y^e 2^d Mo., 1689.

PRESENT:

JOHN BLACKWELL, Esq^r. Gover^r.

Wm. Clark,
Jn^o Symcock,
Jn^o Curtis,
Joseph Growdon,
Jn^o Hill,
Wm. Yardly,
Griff. Jones,
Luke Watson,
John Bristow,
Barth. Coppock,
Wm. Stockdale,
Jn^o D'Haes,
Pet^r Alrichs,
Sam^{ll} Carpenter,
Wm. Markham, Secre.

The Gover^r directed y^e Secetary to Read the entryes of y^e last Councill's proceedings. They were read.

The Gover^r caused two Letters to be read, directed to him from y^e Justices & Sheriffe of y^e County of Sussex, touching a Rumor of an invasion made on Maryland by 9000 Senneкers & ffrench, &c. But y^e board having received advertissem^t That it was groundlesse, It was thought fitt That y^e Gover^r should returne thanks to y^e Gent. for their care, but withall to caution them that they do not herafter presume to rayse the Contrey without more manifest cause; and directions for that purpose.

The Secretary Reported his having Examined & compared the Rolls of y^e first 60 Lawes with y^e Councill's book of Laws. He found little agreem^t, and that y^e sayd Rolls, as y^e Keeper sayd last sitting of y^e Councill, were not authentique; So that there was no depending on them.

The Gover^r proposed their proceedure upon the consideration of y^e fundamentall Lawes, & agreed w^{ch} were the fundamentall, Viz^t: the act of Naturalization or union, y^e first, 36^o, 37^o, 38^o, 43^d, 51th, 56th, 57th, 58th, 62^d, 64th, 67th, and 132^d.

The Gover^r proposed they would be Serious in y^e Consideration whether y^e sayd fundamentall laws were sufficiently confirmed or Established, having not been published under y^e Seale, as by y^e King's patents was directed, and that they would come prepared to Resolve it to morrow morning, 9 of y^e Clock.

Ordered y^t y^e parchm^t Rolls rec^d saturday of y^e Keeper, should be Returned by y^e Com^{tee} that brought them.

Adjorned till to morrow morning, 9 of y^e clock.

At a Meeting of the Provinciall Councill in the Councill Roome at Philadelphia the 9th day of y^e 2^d Mo., 1689.

PRESENT:

JOHN BLACKWELL, Esq^r. Gov^r.

Wm. Clark,
Luke Watson,
Jn^o Hill,
Griff. Jones,
Jn^o Curtis,
Peter Alrichs,
John D'Haes,
Wm. Stockdale,
Jn^o Symcock,
Jn^o Bristow,
Barth. Coppock,
Jos. Growden,
Wm. Yardly,
Wm. Markham, Se.

The Gover^r directed y^e Secre to read the Entryes of the last day's proceedings. They were read.

The Governor acquainted the board that he hoped they were come prepared for the Consideration & further debate about preparing Bills adjourned to this time; But withall, that he thought meet to acquaint them That he had this morning received a printed paper, (called the fframe of the Governm^t. of this Province, &c.,) brought unto him by the Secretary, who sayd he had it from Wm. Clark, a member of this board, and that he had it from Jos. Growdon; who being present, the Gover^r desired to know of him how he came by it.

Jos. Growdon answerd, Wm. Clark had a little book of me.

The Gover^r asked him againe how he came by it, & tould him, It was a high presumption in any man, especially a member of that board, to promote the publishing of any paper of such concerne without direction, Especialy for that it was false in so fundamentall a poynt as that was, and that unlesse he could cleare himselfe he was liable to Censure.

Growdon answerd, If there were any error it was in the printing of it.

The Gover^r askd Wm. Clark whether he had Received it from Jos. Growdon. He answerd he had, & that he askd him 6^d for it, & tould him it cost him 2^{sh} printing, & that he offerd him 6 more for 18^d.

The Gover^r asked Growdon who printed it. He answerd he did not know. The Governor askd him whether he had ordered the printing of it.

He answerd. He was not bound to accuse himselfe.

Being asked when he gave it out to be printed. He answerd He supposed that what was printed Was printed before yesterday, and he did not think he was bound to answer any further about it. He did not intend any hurt in what he had done in giving out some of the papers.

The Gover^{r} having askd him if he had any thing more to say, He was silent. He then directed him to withdraw, whilest y^{e} Councill should consider what to do in it.

He sayd, He did not think fitt to withdraw.

The Gover^{r} proposed it to y^{e} Councill to declare their opinions whether he ought not to withdraw whilest it was debated. They being silent,

The Gover^{r} adjourned the Councill till 2 of y^{e} Clock in the afternoone.

POST MERIDIEM.

The same members present, & Sam^{ll} Carpenter.

The Gover^{r} sayd He should take up the businesse of Jos. Growdon publishing the printed paper produced in the morning, For that he lookd upon it as being of a dangerous nature (in the present Condition of our affayrs, and distractions the Countrey were in) to have such a paper published; not only for that it was false, But for that the Proprietor had declared himselfe against the using of the printing presse; and Especially for that there seemed to him to be severall things therein conteyned which though they might be fit for the people of this Province to know, (and that they might do by having Resort to the Keeper's, where it was lodged,) but would be of ill consequence to be Known to others, and possibly might bring the Proprietor's title in question, &c., and therefore declared He Expected That Jos. Growdon should withdraw, whilest they gave their sense about it.

Jn^{o} Symcock declared he was not satisfyed that it was any prejudice to y^{e} Controy, for that the Gover^{r} had sayd He would have the Children taught it.

The Governor Replyed: are you not satisfyed That Growdon should withdraw till it be debated.

Growdon himselfe sayd. He did not think fitt to withdraw to be judged behinde his back.

John Eckley came in the Councill Roome, and sayd he was come to offer himselfe to y^{e} board to do his duty. The Gover^{r} tould him they were at present on another consideration, & desired him to withdraw till that was over.

Jos. Growdon demanded That all the members of the Councill might be admitted before they proceeded any further.

The Gover^{r} tould them they were all present Except Tho. Lloyd, who stood charged with so high Crimes, offences & misdemeanors, as he could not think fitt to admitt him till he had answerd to them, w^{ch} he found them unwilling to bring him to a tryall upon, and Sam^{ll} Richardson, who was Excluded for great contempt of the Proprietor's & Gover^{rs} authority: Only John Eckley, whose Elections they had voted illegall.

Wherupon Wm. Yardley declared, Except we may have our members w^{ch} were duly & according to charter Elected, & intrusted by the people for the service of y^{e} Controy, admitted to sitt with us for the service that is Expected by them that chose them, desired we may be dismist rather than to sitt here.

The Gover^r sayd he knew of none kept out That are duly Elected, unlesse (as he had sayd before) such as are under a charge & Sentence of this board of misdemeanor.

Jn^o Hill sayd: That he observed since he had been at Councill, there had been many obstructions in our debates for making Laws; that we could not proceed. I desire we may be dismist, & think it best the Gover^r chose his owne Councill: we cannot agree.

Jn^o D'Haes sayd: For my part I was chosen by the Contrey, and I see no businesse can be done but by quarrelling at every thing, So that we are all hindred from doing any thing: I desire we may be dismist & not required to stay longer: we can do no good.

Sam^ll Carpenter sayd: As to that man that appeared last, (viz: Jn^o Eckley.) I hope thou hast nothing against him nor his Election. If thou hast, I desire to know what thou hast. I desire he may be admitted to take his place.

Joseph Growdon sayd the Ballot was to decide doubtfull questions.

Griff. Jones sayd there were such disorders at the Election as he never saw before. We desired the Poll and Ballot, and appealed whether there were not many persons present that were inhabitants of Chester Countey, and that came out of Jarsey, which by the Poll or Ballot we should have known whether they had right or not to elect, & could not otherwise be determined.

I did as much as in me lay to have it done by the Ballot, as the Charter directed, &c. But I am sure we spend our owne time & money, & the Contrey's, in hopes of having laws, but we cannot hitt it; we are hindred from doing any thing; Therefore, I think it is best for every one of us to go about our businesse. We do but Exasperate & provoke one another, and beget heats & animosityes, to the hurt of the Governm^t.

Jn^o Symcock sayd: as to the writ that went out for the Election of John Eckley, If I mistake not there were some things in it as that They should either make a new Election or stand to their first choyse; and if so, thou mayest be satisfyed.

The Gover^r Replyed he did not remember any such thing; But should be as glad as any man to finde there were a doore open to admitt him, for he looked upon him as a very worthy person. But he thought it was otherwise.

The Gover^r desired the Entry of the writt might be read.

Whilest that was sent for, in order to the Reading of it, Wm. Stockdale sayd He wonderd that the Ballotting box should in some Cases be so much cryed up & at other times denyed, wherein our priviledges & libertyes are much concerned.

The Gover^r sayd: I will answer for my denyall therof in such cases wherin I have not thought it necessary to use it. But (added) I see there is such a ffaction made amongst you of this board, That I cannot answer it to trust the affayrs of the Governm^t comitted to me, unto such a Clandestine decision; For I see how you are influenced, many of you, &c. But besides, I am assured It has not beene used in like cases before my coming at this board.

The Secretary produced the Entry of the writt of Election of Jnº Eckley, &c., wch was Read; which is as followeth, vizt:

JOHN BLACKWELL, Esqr., Governr of the Province of Pensilvania & Countyes annexed, Under the Honble William Penn, Lord Proprietor and Cheif Governor of the same, & his Heirs.

To John Claypoole, High Sheriffe of the County of Philadelphia, sendeth Greeting:—

Wheras, it hath appeared to ye Provinciall Councill, by your return of Elections made the Eleventh day of the first month, commonly called March, bearing date the 29th day of the first month, 1689, That a great number of Persons having mett in Philadelphia for the Election of one person for a member of Provinciall Councill, and six for assembly, amongst which were about 50 or 60 persons of the Township of Haverford & Radnor, &c., who were supposed not to belong to the County of Philadelphia; Yett they then gave their Vote by Ballott, with ye Freemen of the sayd County; Wherupon the sayd Election was by the sayd Councill resolved not to be a good Election, according to the Charter and rules in that behalfe, although they could not but approve of the sayd Jnº Eckley as a worthy and fitt person: And whereas, Samll Richardson, a late member of the sayd Provll Councill, through his great misdemeanor, as well towards the Honble Proprietor, in contemning & denying his authority, as towards the present Goverr under him and his Heirs, Insolently denying him to be Goverr, and that the Proprietor could not make a Goverr and other wrath full and outragious words, deportemt & carriage of his, in view of the Councill sitting for mannagemt of the affayrs of the Governmt, wch occationed the Vote and resolve following to be past against him on the 25th day of the last 12th month, vizt: that the words & Carriage of the sayd Samll Richardson were unwhorty and unbecoming a member of ye Councill to the Goverr, and that he ought to acknowledge his offence and promise more respect and heed for the future, before he be allowed to sitt againe in Councill: and wheras, he, the sayd Samll Richardson, persisting in his obstinacy, hath not to this day either acknowledged his sayd offences, or promissed more respect or heed for the future, but declared himselfe, he cared not whether ever he satt there more again: And wheras, there is a present need of the full number of members to serve for provinll Councill, as by Charter is required for preparing bills to be past into Laws, and other Weighty matters:

These are therfore, by his Majtys authority, and in the name of the Honble Lord Proprietor and Cheif Governor, to will and require you to give as Speedy and timely notice as may be to the Freemen Inhabitants within your County capable of Electing, That they meet at the usuall place of meeting for such purposes, on the eighth day of this instant month, comonly Called Aprill, between the Hours of nine & Eleven, then and there to Elect and Choose from amongst themselves Two persons, of whom they have had experience for their approved fidelity, Virtue, Wisdome, Ability and Peaceable demeanor, to serve in the sayd Provll Councill, Vizt.: either by confirming the sayd Jnº Eckley, or choosing some other whom they shall think fitt in his stead, for the terme of Three years; and whom else they shall think fittest to serve in the stead of y^{e} sayd Sam^{ll} Richardson, for the remaining Space of two years of the three for which he was Choosen; and that you make due returne therof to the Gover^{r} & Prov^{ll} Councill, for which this shall be your Warrant. Given at Philadelphia, the 2^{d} day of the Second month, in the 5th year of the Reign of King James the Second of England, &c., and ninth of the Proprietor's Governm^{t} in and over this Province, &c., anno Dom. 1689.

The Gover^{r} Declared He was sorry It did not answer Jn^{o} Symcock's Expectation, for he did not finde, That they were directed to confirme Jn^{o} Eckley otherwise than in the usuall way directed by the Charter for Election by the Ballot, which had been demanded, but the disorder of the people would not permit it.

Wm. Clark sayd: He did not see that necessity of the Ballot for Jn^{o} Eckley, but to have a free vote for his confirming, and thought he might be admitted for any thing that he did understand.

John Bristow desired to know whether the Sheriffe had made any Returne of it or no, & desired the Returne might be read if it were made.

The Sheriffe's Returne was read by the Secretary, w^{ch} is as followeth, viz^{t}.:

To the Honb^{le} JOHN BLACKWELL, Esq^{r}., Govern^{r} of the Province of Pennsilvania and Countyes annexed, and Provinciall Councill, &c.

According to a Warrant from y^{e} sayd Honb^{le} Gover^{r}, to me directed, the Ffreemen of this County mett at y^{e} time and place therin Specified, and a method being proposed, they did declare that at that time they were not willing to vote by Ballott, and then nominating Jn^{o} Eckley, they did by Maj^{r} Vote confirm him to be their representative in Councill for the term of Three years; and afterwards putting up Sam^{ll} Richardson, they did by Maj^{r} Vote Elect him for the remaining time he was to have served, and likewise declared their willingness to Confirm the former Choice of members for Assembly. In Witness wherof, I have hereunto sett my hand and Seal, the Eighth day of the Second month, in the ffifth year of the King's Reign, & ninth of the Lord Proprietor's Governm^{t}., Anno Dom. 1689.

JOHN CLAYPOOLE, Sheriff.

John Bristow observed upon it, That the writt was satisfyed by that returne; For it was a confirming John Eckley, as was directed by the writt.

Wm. Yardly sayd: My opinion is, That the Return of the Sheriffe is that the people have confirmed that Election that was before, and so has answered the writt, and that he has right to come & take his place.

Bath. Coppock declared: He was of the same opinion with the member that spake last.

Wm. Stockdale sayd: I do also agree with what the last member sayd. Sam^{ll} Carpenter sayd: The use of the Ballot is where there is doubt. Here it was apparent, & therfore I think it is as well every whitt in this case.

The Gover^{r} sayd: The former Election has been allready determined not to be a good Election, and therefore that cannot be insisted upon.

John Curtis sayd: I think it was a very fayre Election. In other places we are Generally chosen by the Vote: and I think where they are unanimous, there needs no controvercy.

The Ballotting box is not used in any other place but this County. Wee are Elected by Vote.

Griff. Jones answered That was a mistake, for it is used at upland & in all the Lower Countyes, by black & white beanes put into a hatt, w^{ch} is a balloting in his sense, & cannot be denyed by the Charter, where it is demanded.

The Gover^{r} sayd I take it to be so agreed by the Charter that the Election shall be by y^{e} ballot, and am sorry it was not so done in this County upon this occasion, where they had alwayes heretofore insisted upon it as their Right. But I do not yet see how it can be allowed that Jn^{o} Eckley should sitt.

Sam^{ll} Carpenter sayd: I look upon it that we are judges of Our members, otherwise we may be Refused or turned out at pleasure. We are abused.

The Gover^{r} desired him to Explayne himselfe by whom they were abused. His answer was as dark as his former Expression; and so was past over

Wm. Clark sayd: a great deale of time hath been spent & little or nothing done. We mett as a legislative Councill in order to preparing lawes, But we are not yet gotten to the begining of that; and I do not see we are like to make any progresse in it. One thing or other does happen amongst ourselves to put a Stop to our procedure, and now the time is so farr spent that I think we shall not have time to go on with it if there were no objections in the way. We have sate already longer than we used to do on this occasion, and for as much as we are not like to do any thing, I desire we may be dismist to our private Concernes.

Griff. Jones sayd: I have once already, & I doe againe desire, if we cannot go on to make Laws for the Province & Countyes annexed, & people therof, & that without interruption, That we may have liberty to go about our businesse.

Peter Alrich sayd: I desire we may be dismist & go about our businesse; things standing as they do, that we cannot be suffered to proceed.

Wm. Stockdale sayd: I desire we may have our members for carrying on of what lyes before us, as we ought to do, &c.

Wm. Markham sayd: He thought it was necessary the Councill should be dismist; he saw no service they like to do, & that it was too late now to begin to prepare lawes seasonably.

Jn^{o} Symcock sayd: A dismisse might be acceptable enough to most or all of us, but we are obliged to do some service for w^{ch} we came, and to that end we have mostly all along desired to have our members. I desire that what of our time remayns we may indeavor to spend it to the purpose intended.

The Goverr sayd: I am sorry we have beene renderd thus indisposed thereto by Councills from abroad. I have frequently given you the grounds of my not agreeing with you, as to the bringing in the three members you would have. I have a Conscience to be Exercised, & a duty incumbent in discharge of my trust, as well as any of you, and I conceive it lyes with more weight upon me if I suffer a miscariage in these Councills. But I have sayd what was on my thought to say as there has been occasion; and since it appeares to me, That we are hinderd on that pretence from proceeding any further, I think fitt (according to the advices of many of you) to adjourne this meeting of Councill on the Legislative account, till further occasion; Expecting you do agree amongst yourselves who shall attend the ordinary meetings of this board, on each 2d & 5th days of Every week, as was formerly agreed; and that you fayle not of your attendance accordingly.

The Goverr Adjourned till the 2d day of the next week.

Entry of the names of the members of Provll Councill who were attending in the towne of Philadelphia, on the severall dayes appoynted for holding Councills by the Governor, Vizt:

On ye 15th of ye 2d Mo., 1689.

JOHN BLACKWELL, Esqr., Govr.

Luke Watson,
Wm. Stockdale,
John Curtis,
Wm. Yardley,
Samll Carpenter.

On ye 18th of ye 2d Mo., 1689.

JOHN BLACKWELL, Esqr., Goverr.

Luke Watson,
Griff. Jones,
Wm. Stockdale,
Samll Carpenter.

On ye 22th of ye 2d Mo.

JOHN BLACKWELL, Esqr., Govr.

Luke Watson,
Griff. Jones,
Samll Carpenter,
Wm. Markham, Secre.

On ye 25th of ye 2d Mo.

JOHN BLACKWELL, Esqr., Govr.

Luke Watson,
Griff. Jones,
Wm. Stockdale,
Wm. Markham, Secre.

On ye 29th of ye 2d Mo.

JOHN BLACKWELL, Esqr., Govr.

Luke Watson,
Griff. Jones,
Wm. Markham, Secre.

On ye 2d of ye 3d Mo.

JOHN BLACKWELL, Esqr., Govr.

Luke Watson,

Barth. Coppock,

Wm. Markham, Secre.

On ye 6th of ye 3d Mo.

JOHN BLACKWELL, Esqr., Govr.

Luke Watson,

Barth. Coppock,

Wm. Markham, Se.

On ye 9th of ye 3d Mo.

JOHN BLACKWELL, Esqr., Gover.

Barth. Coppock,

Wm. Markham, Secre.

At a Councill in ye Councill Roome in Philadelphia ye tenth day of ye third Mo., 1689.

PRESENT:

JOHN BLACKWELL, Esqr., Govr.

John Symcock,
Luke Watson,
John Curtis,
Barth. Coppock,
Jno Hill,
Wm. Stockdale,
Jos. Growdon,
Wm. Yardley,
Samll Carpenter,
Wm. Markham, Secre.

There wanting two members to make up a full Legislative Councill, The Council fell into a free discourse amongst themselves about ye Expediency of Letting the Laws drop or fall, and some things toaching the administration of ye Governmt untill other Laws should be made, or directions should come from ye Proprictor, &c., out of England. But nothing was concluded, Only To adjourne till 5 of ye Clock in ye evening.

At a Councill at the Governor's Lodgeing In Philadelphia, ye 11th of ye 3d Mo., 1689.

PRESENT:

JOHN BLACKWELL, Esqr., Govr.

John Symcock,
Wm. Clark,
Samll Carpenter,
Barth. Coppock,
Wm. Stockdale,
Jos. Growdon,
Luke Watson,
Jno Curtis,
Jno Hill,
Wm. Yardly,
Wm. Markham, Secre.

The Govr acquainted the Councill That yesterday, towards evening, two of ye members of ye Assembly had signifyed to him That ye assembly was mett, and that they had sent them to acquaint ye Govr and Councill therewith, and that they had something to say to them. The Govr proposed that ye Councill would Consider whether they could appoint a Comittee, or do any thing as a Genall assembly untill the Councill were at least 12.

The Opinion was they could not: and it was therupon ordered.

That John Bristow should be written to by y^e Secretary to appeare to give his attendance in Councill by 9 of y^e Clock y^e 15th instant.

Likewise ordered, That y^e members of New Castle be written to, to give their attendance in Councill at y^e same time.

The Gov^r proposed to y^e Councill, That if he thought The ffreeholders of y^e County of Philadelphia were yet disposed unto a more peaceable frame than at their last meeting, he should be glad to issue a writt for Election of two persons, as had formerly been done; but none gave any advice therin.

Nich. Walne & Edm^d Bennet came from y^e assembly, & sayd They were sent to acquaint y^e Gov^r & Councill That they were mett, & desired to know whether y^e Gov^r & Councill were mett, & were ready to heare what they had to say.

The Gov^r desired them to withdraw till they could Consider what answer to give.

It having being considered, They were called in, and Desired to let the Assembly know That they wanted one of y^e number of y^e Councill to make a Gen^{ll} Assembly; But had sent & would use what indeavors they could to have a full Councill against y^e second day of y^e next week, at nine of y^e Clock in y^e forenoon, w^{ch} was agreed, nimine Contradicente, upon y^e Question put.

The Petition of James Walliams was read, & all y^e papers by him pesented touching y^e proceedings had at y^e County Court of New Castle, upon y^e Seizure made by y^e Sayd Walliams of severall goods Imported into this Province by Peter Godefroy & Aliens, contrary to y^e Law of England, for the better incouragem^t of Navigation, &c. And upon y^e reading & Consideration thereof by the Gov^r & Councill, It was Ordered That a Spec^{ll} Comission should be issued by the Gov^r to 3 pesons, or any two of them, For the hearing & determining that matter, both as to the Seizure, forfeiture & qualification of y^e Persons importing the Goods in question.

That the Com^{rs} do sitt in Philadelphia y^e 21th of this month: And That y^e Secretary give notice to y^e Playntiff, Def^t, & all persons concerned who shall be named by either of them, that they be in readinesse to attend y^e sayd hearing & for giving evidence therin as the Case shall require; all w^{ch} was agreed, Nemine Contradicente. The Gov nominated Wm. Markham, John Symcock & Wm. Clark, or any two of them: some of them desiring to be excused, the Gov^r sayd he would settle that as he should think fitt, when y^e Comission was ready.

Adjourned till y^e next Second day of y^e Week, at ten of the Clock to this place.

At a meeting of the Councill at y^{e} Gov^{rs} Lodging At Philadelphia y^{e} 14th of 3^{d} month, 1689.

PRESENT:

JOHN BLACKWELL, Esq^{r}., Gov^{r}.

Jn^{o} Symcock,
Wm. Clark,
Jos. Growdon,
Jn^{o} Bristow,
Barth. Coppock,
Wm. Stockdale,
Wm. Yardly,
Sam^{ll} Carpenter,
Jn^{o} Curtis,
Jn^{o} Hill,
Luke Watson,
Wm. Markham, Secre.

The Gov^{r} caused y^{e} Entryes of y^{e} two last dayes proceedings in Councill to be reade.

The Gov^{r} acquainted y^{e} Councill, That y^{e} Assembly having sent, desiring they might have notice of y^{e} Councill's meeting, they having some things to impart to them; and That he, y^{e} Gov^{r}, had some thing also to say to y^{e} Assembly touching the Lapse or falling of the Laws, desired they might be sent unto.

John Symcock & Joseph Growdon were sent for that purpose. They returned & brought word they had been with y^{e} Assembly, and that they sayd they would be with y^{e} Gov^{r} & Councill within half an hower.

In y^{e} meantime, Peter Gronendik's petition was read: And It was agreed a new Comission for the peace & County Court of Kent should be issued. The Gov^{r} also took y^{e} names of divers pesons recomended to him by y^{e} members of Councill to be Coroners for y^{e} Respective Countyes, & directed Comissions should be prepared.

The Assembly came; and after some pawse y^{e} Gov^{r} spake to them according to y^{e} tenor of y^{e} words following, viz^{t}:

PHILADELPHIA, 14th of y^{e} 3^{d} month, 1689.

Worthy Friends & Gent:—

This being y^{e} first opportunity of your appearing together in this Assembly since my arrivall, I hold it necessary in a few words to informe you of my errand amongst you.

Having received a Comission from the Honb^{le} William Penn (The true & absolute Proprietary & Cheif Gov^{r}) for y^{e} Governm^{t} of this Province & Countyes annexed, under him & his heirs, I undertook y^{e} journey from Boston in New England, hither, about the later end of y^{e} last ninth month, and upon my arrivall presented myselfe to those whom I found in authority, Giving them a view of my Comission; (who voted their acquiesceing therewith,) and being thereby Referred (for my instructions & Guidance) to their Comissions, & such instructions as y^{e} Proprietor had formerly given them, and y^{e} Laws of this Province which he had past, I requested a view of them; and thenceforth made it my study to become instructed in my duty by them, and have accordingly acted to y^{e} best of my understanding. But, It has been my great unhappinesse to meet wth unexpected opposition therin.

Gent., I shall not appologize for myself further than by telling you:

1. That I Sought not to Rule over you: It was from y^{e} meere good will & pleasure of y^{e} Honb^{le} Proprietor, (my worthy friend,) and I hoped it would have ended before this time.

2. That Being Resolved of undertaking it for a time, I also designed to do it w^th^ all imaginable respect to him & yourselves.

3. That I have endeavord so to demean myself therin as I doubt not (when my master shall receive the acco^t^ of what has past since my arrivall) it will be sufficiently evidenced, That I have acted according to my Comission & instructions from him.

4. That in Expectation of his arrivall, (w^ch^ God grant suddainly, if it be his will,) I shall wayt for my vindication against y^e^ malevolencye of my opposers.

I suppose you have been formerly acquainted with y^e^ reasons & necessity of y^e^ Proprietor's absenting himself so long from you, as till the late Revolutions in England. He hath frequently evidenced his strong desire above all things to be restored to you.

What hath hinderd of late we have from divers Reports of things transacted in England, w^ch^ require we should wayt for their being renderd more certaine; and in the mean time strive in our prayers, That the Lord who Gov^rs^ this universe will do it in wisdome and Good will towards all his suffering people, and ourselves in ꝑticular.

I suppose, Gent., You expected some bills should have been sent downe to you from y^e^ Prov^ll^ Councill, for y^r^ Consideration before your coming up & passing them into Laws at this meeting.

Divers reasons may be given why none were. I shall acquaint you with some of them, Viz^t^:

1. The Honb^le^ Proprietor (for reasons known to himself) hath given possitive directions for letting all the Laws drop or fall, Except the fundamentalls. And afterwards, for calling together the Legislative authority to passe such of them, or others, as they should think fitt, for the future: (w^ch^ is my full intention to do.)

2. The Honb^le^ Proprietor being by his patent from the King, authorized by himself & his heirs, &c., (with consent of y^e^ freemen,) to make, and (under his seale) to publish necessary Laws for y^e^ good of the people; (w^ch^ had never been done, with all requisit circumstances, whilest himself was here, and without w^ch^ I much doubt whether what were past, or should hereafter be past, have that due sanction or establishm^t^ w^ch^ Laws require;) and finding the Great Seale, under which they should passe, was not to be had, (the Keeper therof refusing to allow the use of it in any cases, by my direction,) I therfore lookd upon it as labour in vayne now to attempt it.

3. The present posture & alteration of affayres in Engl^d^, The uncertainty touching y^e^ Condion of y^e^ Proprietor himself and his power; and y^e^ fears of what danger might ensue, as well to him as to our selves, in passing & confirming laws of such a nature as would have been approved of in this conjuncture of affayrs, forbad it.

4. The annimosityes and dis-sentions w^ch^ were here amongst you before I came, and have been lately Revived amongst the members of y^e^ Prov^ll^ Councill, by y^e^ indeavor of some; as to their proceedings in y^t^ service hindred their agreem^t^ in Councill as to doing any thing, In so much as I was constrayned for Love & peace sake, upon that and y^e^ other foregoing considerations, to dismisse them from further attendance on y^t^ account.

5. An Expedient occur'd to me of Lesse danger to us all, Viz^{t}: That I being by my Comission as afores^{d}, Referd for my Rule & instruction to y^{e} Laws then in being, & w^{ch} had been (as well by the Proprietor as y^{e} people,) approved & owned as such whilest he was amongst you here, and observing y^{t} he had Reserved y^{e} Confirmation & disannulling of what Laws should be made in his absence to himself, so that if any were or should be proposed, they could not take effect among us as laws till his pleasure should be therin declared, I came to a Resolution within myself, of observing them in y^{e} Course of my Governm^{t} as so many Rules & instructions given me by my Master, (as farr as I should finde or judge them not contrary to y^{e} Laws of Engld,) and of supplying y^{e} deffect or want in y^{r} Laws by y^{e} Laws of England, w^{ch} I believe will be most gratefull to Our Superiors in England, Especially at this time; and will be as usefull amongst ourselves; there being no other way (occurring to my understanding) whereby you may receive y^{e} benefit of them. And in this purpose I remayne Steady, (Unlesse you shall otherwise advise,) untill by better information out of Engld we shall be led out of these State-meanders.

Gent., I assure you that I will (as farr as I judge I may wth a good conscience) manage myself in Governing you agreably to y^{r} Charter from y^{e} Proprietor, & the Rules & instructions of your Laws; (if I may be sufferd to do;) and where they are defective, according to y^{e} King's Letters Pattents, having a due regard to your Principles, (as I am instructed by my Master,) till God shall be pleased otherwise to direct & cleare our way to us all; whose duty it is (as becomes Christians) in all things to attend & readily comply with his will. I say I will (as farr as I judge I may with a good conscience) so manage myselfe in Governing you, &c.

Then Gent. Let reason & not passion or prejudice, (through any mis informations,) influence you. I pray God direct us all therin; That we may in this our day, know the things that make for our peace; Least they be hidden from our eyes and wee (too late) Repent & say, we were advised but understood it not.

I assure you nothing shall be wanting on my part, wherin I may justify a complyance with any thing you shall reasonably desire. But I expect y^{e} same Liberty & exercise of my judgem^{t} & conscience as you do. I am sure you will Expect no more from me, for I take it for granted, this is a fundamentall Rule with every one of you, To do to others as you would they should do to you. When I fayle to walk according to this Rule, My Master will not let me be any longer y^{r} Governor.

Gent. I will only adde this, That as soon as we have certayne intelligence from Engld I will advertize you; and (if the Councill shall so advise) will call you together, in order to your being as early in bespeaking the Countenance of y^{e} Authority over us, to indulge us in our differences from others, as may be expedient, and will cordially joyn with you therin, if you shall desire it, That you may have as large privileges & exemptions as shall be judged reasonable to desire.

Now if these things I have sayd will not please you, I can say no more; but Go on and prosper in your owne Sentiments, and if you suffer by so doing, I shall be sorry your breach fell out in the time of my Government over you. But The will of God be done, with which I end at this time.

Arthur Cook, in ye name of ye Assembly, desired a coppy of ye Govrs Speach. He granted it them.

Arthur Cooke made a Speech, and afterwards offerd a paper, directed to ye Govr & Provll Councill, sitting at Philadelphia ye 14th of the 3d month, 1689, wch was Read, but nothing Resolved on about it; it conteyning some of the heads of things discoursed between ye Govr & him before.

The Govr desired a Coppy of ye sayd Arth. Cook's Speech might be given in to him in writing; which was Promised by ye sayd Arth. Cook.

Arth Cook moved a Comittee of ye Councill might be appoynted to conferre with. The Gov answerd he found no cause for it from the Charter, there being no laws to be conferrd about. But sayd himselfe would be alwayes ready with the Councill, (if he could get the Councill to attend,) wch he declared would be as well

The Govr proposed an adjournmt of ye Councill till to morrow morning, 9 of ye Clock. Severall of ye members desired it might be held at ye place called ye Councill Roome. The Govr answerd it was to strayte & close for him this hott weather, That it was not large enough to receive ye Assembly. That therfore, he should continue his resolution of adjourning to ye same place. Some intemperate Speeches past from some about it, intimating as if they had a joynt power in appoynting the place. One asked him by what authority he took it upon himselfe. He replyed by virtue of his Comission from ye Proprietor & the Charter & lawes, wch required the members of ye Councill should attend him & not he them. Another affirming the Govr dealt not fayrly with them, &c. wch he reprorved, saying he was sorry he understood no better; and adjourned accordingly to ye same place to morrow morning, the 15th of this 3d month, 1689.

At a meeting of the Councill at the Govrs Lodging at Philadelphia, the 17th of the 3d month, 1689.

PRESENT:

JOHN BLACKWELL, Esqr., Govr.

Luke Watson,
Samll Carpenter,
John Symcock,
Barth. Coppock,
John Hill,
Jos. Growdon,
Wm. Clark,
Wm. Yardley.
Wm. Stockdale,
Jno Curtis,
John Bristow,
Wm. Markham, Secre.

The Entry of the Last Councill's proceedings were Read.

The Goverr acquainted the Councill That ye end proposed for meeting at this time was, That if that wch he had formerly mentioned to them touching the issuing of some Declaration for ye Continuing ye

Laws formerly past by the Prop^{or} to be of y^{e} same force as now they are, & for acting accordingly in all administrations & Courts of Justice, untill we should hear from England, might be allowed for an Expedient as touching y^{e} dropping or falling of y^{e} Laws, he should be willing, upon their advice, to concurre therin.

M^{r} Markham declared his readinesse to give his hand to it.

John Symcock sayd, while y^{e} Laws are in power there is no neede for that.

Wm. Clark. It is a Question with some, & also with myselfe, that it may not be safe for y^{e} Justices to act by these Lawes after the Assembly is broke up & y^{e} 20 dayes expired; So that if this method should be taken, there may not be magistrates found to keep the peace of y^{e} Governm^{t}. It would seeme to be a scruple to me to act after y^{e} 20 dayes are expired, after y^{e} Assembly is broken up, for if after there came an alteration of y^{e} Governm^{t}, those psons y^{t} finde themselves agrieved may bring us into Question for our actions when we had noe Lawes for it, or but pretended Laws.

John Symcock. The Question may be whether y^{e} way of a Declaraon propounded by y^{e} Gov^{r} can make it safe to act upon y^{e} Laws.

Governor. Such actings, though not in all poynts justifyable, yet being necessary untill Laws can be duly past: (w^{ch} cannot be without the Propr^{ors} confirmation:) an act of indemnity & confirmation of all judiciall proceedings in Courts need not to be doubted; Governm^{t} being necessary.

Joseph Growdon. It is supposed That y^{e} Laws formerly made were good before y^{e} Gov^{r} had confirmed them: and we suppose the Laws are in force as they are, if we will consent to y^{e} adjournm^{t} of y^{e} Assembly; therfore, 'tis my opinion, That y^{e} Gov^{r} & Councill consent to y^{e} Assemblyes adjournm^{t}. If we go in any other way we had as good do nothing; possibly we may never be indempnifyed. Concerning y^{e} Dropping of them we should be ready to acquiesce in any thing y^{e} Gov^{r} Comends; But if he do put any thing y^{t} we cannot concurr in, we hope we shall be Excused.

John Hill: If a bill or declaration were prepared for allowing all y^{e} Laws past by M^{r}. Penn till further order, it may be as sufficient.

Wm. Clark: nothing we can do till Gov^{r} Penn shall approve them can give life to them.

Wm. Markham. I can not conceive why we are so fond of these laws. If they be not confirmed we must be governed by y^{e} Laws of England, w^{ch} are agreeable to y^{e} Common law, & are but Explanations of that; & what are our Laws more than declarative of that.

Wm. Stockdale. The Assembly may adjourne themselves. It is my Judgm^{t} y^{e} Laws may thereby be preserved as they are, & that so we may act safelyer by them than if they were Lett drop & confirmed by a declaration.

Sam^{ll} Carpenter was of y^{e} same minde.

The Gov^{r} sayd, That y^{e} adjourning of y^{e} Assembly by their owne act does not seem to him to be any way countenanced, either by y^{e}

Charter or by his Comission or instructions, or yᵉ Laws of this Province. But for as much as by his Comission & instructions yᵉ Laws were appoynted to be his Rule of his Governmᵗ, he was satisfyed to Joyne in a declaraon for the administring justice according to them. & their being of like force as now they are till they should heare further from England, as he had declared in his Speech to yᵉ Assembly; and doubted not but yᵉ Proprietor would approve therof, & that if it were an Error, he would passe an act of Indempnity, as was usuall in such imergencies; and that therfore, if they could not consent thereto, or finde some other way, he must end that debate: he judged yᵉ continued sitting or adjourning of yᵉ Assembly to be of dangerous president & consequence.

John Bristow. My opinion is, that for as much as yᵉ Laws have been all along uncertaine of yᵉ assurance & strength requisit, yet all along have been practiced & the people governd by them; in as much as it falls out that after 20 dayes they are voyd, I think it necessary & convenient yᵗ yᵉ Govʳ & Councill & assembly Joyne together to issue a declaration to yᵉ Magistrates, that those Laws that have been made & confirmed from yᵉ begining, & practiced, shall still continue & be in force till there be further order from yᵉ Proprietor.

The Goverʳ sayd: He has spoaken my minde, & I am ready to do it, or any thing else that I can be advised, wherin I can pursue my instructions.

Luke Watson. These Laws, after 20 dayes, are no laws, & we can give them no force, but they must of necessity fall, & we must be governd by yᵉ Laws of England at present.

John Curtis. The Continuance of yᵉ Assembly gives life & keeps life to them, wheras after yᵉ rising of yᵉ Assembly they must of necessity drop, & all yᵉ Laws & ordinances that can be made will signify nothing, but we must flye to yᵉ Laws of England, & it will come upon us to be sure.

Barth. Coppock. I cannot understand That we can act safely under any things but under yᵉ Law; not under any ordinance or declaration, if they drop or fall, because they have not that publication which the Laws by yᵉ Charter ought to have.

Jnᵒ Hill. I do not think yᵉ Assembly can be adjourned, but yᵗ we may have recourse to yᵉ Laws of England in matters to prserve yᵉ Peace.

Jnᵒ Bristow. This time 2 years, upon a neare like occasion, Orders were sent to yᵉ Justices, &c., & I conceive we may do yᵉ same now.

Wm. Clark, By way of accomodation, proposed That we might agree upon some Instrumᵗ or declaraon to impower yᵉ Magistrates to act by yᵉ Laws that are now in being, & that it be left to yᵉ discretion of yᵉ ministers of Justice where they see cause to act by yᵉ Laws of England, & not to be tyed up wholly to the one or yᵉ other.

The Goverʳ & severall of the Members declared, that would leave things at great uncertainty, so that neither the people nor yᵉ Magistrates would know what to do.

The Petition of yᵉ Inhabitants on Brandiwine River or Creek, against yᵉ damn made upon yᵉ Creek, wᶜʰ hinder yᵉ fish passing up, to y^{e} great damage of y^{e} inhabitants, was read; and upon debate, it was thought fitt a time should be sett for giving notice to them y^{t} were concerned on both parts, that they should make good y^{e} Petition & they should be heard; but y^{e} time was not agreed.

Adjourned till y^{e} 2^{d} day next week, between 9 & ten of y^{e} clock, at y^{e} same place.

At a Councill at the Gover^{rs} Lodgeing at Philadelphia y^{e} 20th 3^{d} Mo., 1689.

PRESENT:

JOHN BLACKWELL, Esq^{r}., Gov^{r}.

John Bristow,
John Symcock,
Wm. Yardley,
Barth. Coppock,
Wm. Stockdale,
Jos. Growdon,
Griff. Jones,
John Hill,
Jn^{o} Curtis,
Sam^{ll} Carpenter,
John D'Haes,
Peter Alrichs,
Wm. Clark.

The Secretary not being present, y^{e} Entry of y^{e} Last Councill's proceedings were not read.

Joseph Growdon acquainted y^{e} Gov^{r} That there were some members of y^{e} Assembly attending from them.

They being called in, acquainted y^{e} Gov^{r} & Councill That they were sent from y^{e} Assembly wth y^{e} paper w^{ch} they had formerly presented unsigned, w^{ch} was now signed by y^{e} Speaker.

The Gov^{r} asked them when they were sent with it.

One of them answerd: It was signed presently after it was returned to them, and that they had attended to have deliverd it, but y^{e} Councill was not sitting.

The Gov tould him That was not an answer to his Question, for he sayd he heard there was no Assembly sitting these two or three dayes past, and if So, he knew no use could be made of it, at this board. Wherupon they presented another paper, touching John White's being imprisoned, being a member of the Assembly, & took upon them to desire their griveances might be Redressed, one of them saying, They were abused in that the members of Prov^{ll} Councill were not sufferd to sitt.

The Governor tould him, That none were hindred who had been duly Returned as duly Elected, save one who was charged with very high Crimes & misdemeanors, w^{ch} renderd him uncapable, and tould him That Expression was unfitt to be used before him. Also, that they were not judges of y^{e} Councill's proceedings or members, nor could they receive any informaons. Himselfe & the Councill together were the Sole judges.

He Replyed, Then they must fflee to their old Charter, &c., for this was not according to what was promised them by y^{e} Governor in England; and they would maintayne their libertyes as English men, &c.

Upon w^{ch} y^{e} Gover^{r} bade them take their papers back to them who sent them, for it was not fit for him to Countenance such proceedings as would probably subvert y^{e} Governm^{t} & turne all things into Confusion. He was appointed to Governe them by y^{e} Charter, & Laws made therupon, & was resolved to Execute his office accordingly.

Joseph Growdon, a member of y^{e} Councill, bade them not to take y^{e} papers back. Upon which,

The Gover^{r} took them & put them into his pocket, till he could be more certainly advertised whether the Assembly were in being or not, and dismist them. They being gone, Joseph Growdon, (whispering of Wm. Yardley, and takeing that Liberty in Councill to go from one to another, out of his place, for that purpose,) Wm. Yardley stood up in his place, & sayd: It appeares to me there was an Assembly; and for as much as we are a people that are of meane education, sometimes our Speech appeares to be very Rude, & memory weake, & therfore, We desire to present some things before thee; and tenderd a paper folded up.

The Gov^{r} (apprehending there might be some thing in it of like tendency to what Expressions had past in Councill since y^{e} coming back of Tho. Lloyd, who he heard had, with some of y^{e} members of y^{e} board, beene that forenoone very busy in consultation wth y^{e} remayning members of y^{e} Assembly, & had renewed the former dissentions and annimossityes amongst y^{e} members of y^{e} Councill,) was not hasty to receive, nor did think fitt to open that paper at prsent, and whilest they were debating whether to read it or not, the whole designe was made manifest By y^{e} Coming in of Tho. Lloyd, John Eckley & Sam^{ll} Richardson, (without giving notice of their businesse.)

The Gov^{r} therupon stood up and desired to know what their pleasure was.

Tho. Lloyd answerd they came to pay y^{e} Gov^{r} their respects & to sitt in Councill, and inlargeing on y^{t} Subject,

The Gov^{r} tould them, He had formerly at severall times declared himself touching y^{t} matter: that they could not be admitted to sitt there till himselfe & y^{e} Councill were satisfyed and had agreed it: and therfore desired they would withdraw & not interrupt y^{e} present businesse & debates by their Staying in y^{e} Roome, for he could not admitt a a proceeding therin whilest they were present.

Tho. Lloyd persisting in his demand of sitting there, saying he had the Gover^{rs} Letters making him a Councellor, w^{ch} was as good as y^{e} Gov^{rs} Comission.

The Gov^{r} told him he had never seen any such Letter, nor did he ever think fitt to give him any attested Coppy of it. (if there were any such.) He replyed he would let him have it: and pursuing his demands of sitting, & some of y^{e} members of y^{e} Councill severally and tumultuously crying out I am for it: & I am for it, &c.,

The Gov^{r} declared y^{e} Councill to be adjourned till y^{e} next councill day, viz^{t}: to y^{e} fifth day of y^{e} same week, at nine of y^{e} Clock, at y^{e} same place; and Rose up out of his place to depart accordingly; upon w^{ch} severall of y^{e} members of y^{e} Councill departed. But divers remayned, and a great deale of confused noyse & clamor was Expressed at & without the doore of ye Govrs roome, where ye Councill had sate, wch occasioned persons (passing by in the Streets) to Stand still to heare, which ye Govr observing, desired ye sayd Tho. Lloyd would forbeare such Lowd talking, telling him he must not suffer such doings, but would take a course to Suppresse it, & shutt ye Doore. So he went away, attended wth severall of ye members of ye Councill, others staying behinde wth ye Governor.

At a Meeting of the Councill at the Govrs Lodgeings in Philadelphia ye 23th of 3d Mo., 1689.

PRESENT:

JOHN BLACKWELL, Esqr., Govr.

Wm. Clark,
Jo. D'Haes,
John Hill,
Luke Watson,
Pet. Alrichs,
Griffith Jones,
Samll Carpenter,
Barth. Coppock,
Wm. Yardley,
Wm. Markham, Secre.

The Govr directed That the Entryes of the proceedings in Councill ye two Last dayes of their meeting should be read by the Secretary. They were read.

The Govr proposed, That for as much as the Assembly had discontinued their sitting, & were gone, they would take into Consideration the preparing & issuing of some Declaration in the name of the Govr & Councill, as he had severall times moved during their Sitting, for continuing the Laws past by the Propor before his going for England, to be of the same force as now they are, untill we should heare further from thence.

Wm. Clark sayd: What ye Govr has proposed is very necessary, for it will be of very ill consequence to Lett the Laws wholly fall, & have no Laws of our owne to be governed by. Most are Strangers to other Laws; These we are acquainted with. It would therfore be of great service, since we can not have ye Assemblye's concurrence, that they be passed as the Govr proposes, by a Declaration issued in the name of ye Govr & Councill.

Wm. Markham. Had we not mett With such interuption as we did, We might have had a body of Laws fitted for us when we first came together as a Legislative Councill for preparing them: But now we have been put into such distractions, as our Laws must continue in the same distracted forme or not at all. But since it is the desire of ye People yt the Laws should so continue, though the Propor have directed the Letting of them fall for the psent, & afterwards preparing new Laws, I have requested the Govr yt they may be continued with as strong force as may be: and you See the Govr is ready, & only wants yr Consent.

Govr. I have often proposed it, and will proceed in my Governmt according to ye Rules of ye Charter, and all the Laws made before the Prop^{rs} going for England, whether you shall think fitt to passe a Declaration or not, being by my master directed so to do; Save only wheras one of those Laws requires that Comissions for constituting of Prov^{ll} Courts & Judges should be past under y^{e} Great Seale, (w^{ch} y^{e} Keeper will not allow,) I shall reserve a Liberty to passe such Comissions under y^{e} Prop^{ors} Lesser Seale.

John Hill. I agree to what y^{e} Gov^{r} proposes, for acting by the Charter & Laws made, and think it is fit, since the Keeper will not permitt y^{e} use of y^{e} great Seale, that they should be past under y^{e} Lesser Seale, for it's necessary y^{t} Prov^{ll} Judges be appoynted for appeales, &c.

Wm. Yardley. I desire time for further consideration. Though it has beene before us, We have not had y^{t} due consideration, & we have not a full Councill.

Governor. I can not helpe it that y^{e} members will not give their attendance; they all know of this dayes meeting & y^{t} the Councill was adjourned to this time & place. I know by too sad Experience, what's meant by desiring further time for consideration: 'Tis nothing but time to consult without doores with those y^{t} have allways obstructed our proceedings, as to doing any thing that's good for y^{e} people. It has been allready debated, & every man been suffered to speak his minde at large, & we might have brought it to an issue at last meeting had we not been interupted as then we were, by y^{e} coming in of others, &c.

Wm. Clark. We had been heard; and I desire we may not be detayned any longer. I desire y^{e} thing may be put in to y^{e} speediest way to give satisfaction to y^{e} people y^{t} sent us hither.

Sam^{ll} Carpenter Proposed to Receive a paper.

The Gov^{r} Refused it, saying, he would not admitt of any interruption to this debate, till it were over; telling him he had heard it was unduly hatch'd by y^{e} late President & some of y^{e} members, with y^{e} remayning part of y^{e} Assembly, w^{ch} was a course not to be countenanced: It behoved the members of y^{t} board have been present & declared their mindes, & given their assistance in this weighty matter under consideration; and that he had adjourned for that occasion to this time on purpose.

Wm. Markham. I am against making protests one against another. Let us have a friendly debate at y^{e} board of what's before us for our Consideration.

Wm. Yardley. I am very much for y^{e} preservation of y^{e} Laws: and rather than this opportunity shall passe, I am for it.

Sam^{ll} Carpenter. I think y^{e} Assembly might be had.

Gov^{r}. They have disolved themselves, w^{ch} though it were not Legally done in all usuall circumstances, yet they are thereby become felones de se, as to their power of present sitting, and y^{e} Gover^{r} declared he did not see any reason to contrive their Sitting on this occasion; they were so divided amongst themselves as that a very great part of them had protested against their proceedings, & withdrawne as being ashamed of their doings.

Clark, Yardley & Coppock. Leave the thing as it is.

Wm. Markham. I did Scruple y^{e} thing of confirming y^{e} Laws by a declaration when first proposed, But some reasons that have since come to my minde, & specially considering we are not making new Laws by it, and for as much as we were disturbed when we were about that, & could not proceed, I am now of another minde. The Assembly could not but have sayd I or no, &c.

The Question about it being called for, was thus Stated & agreed, Viz^{t}: As many as are of opinion That a declaration be prepared agreable to y^{e} debates at this board, to be issued in the name of y^{e} Gov^{r} & Prov^{ll} Councill, for continuing y^{e} Laws formerly past by the Proprietor, in y^{e} same force as now they are, untill we shall receive orders out of England about y^{t} matter; & that in y^{e} meantime, All Officers, (Viz^{t}: Justices, Sheriffes,) &c., be required to act in their Severall Stations & Capacityes in all their proceedings & doings, according to y^{e} Charter & those Laws, wth this Proviso, That y^{e} Gov^{r} may issue Comissions for Prov^{ll} Judges under y^{e} Prop^{ors} Lesser Seale, declare y^{r} consent by standing up in y^{r} severall places. Wherupon all y^{e} members prsent stood up, Except Sam^{ll} Carpenter.

The Question being put in y^{e} negative, The s^{d} Sam^{ll} Carpenter stood up allone.

The Gov^{r} proposed a Comittee might be named for drawing up such declaraon, Which was agreed; & That Wm. Markham, Wm. Clark & Wm. Yardley, or any two of them, should be the Comittee, & should withdraw: the Councill were Sitting till their returne.

After about an hower's space, the Comittee brought in & Reported their draft of a Declaration, signed by all three of them.

The sayd Declaration was three times read, debated & spoken to: some alterations were in the debate proposed & agreed on. And upon y^{e} Question put, Viz^{t}: As many as are of opinion That this forme of Declaraon brought in by y^{e} Comittee, as now it stands altered, shall be issued, according to the intent of y^{e} foregoing Resolve, and sent into each County, to be there published as y^{e} Act of the Gov^{r} & Councill, at there respective County Courts or meetings, Declare your assent by standing up in your places. Wherupon they all stood up Except Sam^{ll} Carpenter.

The Question being put in the negative, The s^{d} Sam^{ll} Carpenter stood up allone.

Afterwards, The Governor & all y^{e} members of y^{e} Councill present (Except Sam^{ll} Carpenter) signed y^{e} Sayd Declaration, being about two of y^{e} Clock afternoone, which is as followeth, Viz^{t}:

A DECLARATION:

By the Governor and Provinciall Councill of the Province of Pennsilvania and Counties thereunto annexed.

Wheras, We have just cause to suspect that some persons have indeavored to suggest and insence y^{e} minds of the good people of this Government, That the Governor and some of the members of

Provinciall Councill have had a designe or intent to subvert and overturn this frame of Government, and to make voyd the Charter of Liberties and Privileges which the Chief Governor and Proprietor hath been pleased to Grant unto Us and our Successors; and that they have also designed and intended to make voyd y^{e} Laws of this Government, which have been (at so great trouble, charges and expences of the Proprietor and People) made for the preserving of the King's peace, and y^{e} mantaining of our Properties and privileges, and so to Rule by an Arbitrary Power; We do therefore think fit to declare, and we do hereby Declare, That We never had any such thought or intent, But were allways fully Resolved to Keep and preserve the same, as much as in Us Lyes; and should have been very ready to have joyned with the Assembly in the confirming of a Law for that purpose.

And for as much as that hath been obstructed or omitted, We have thought fit to Declare, and We do hereby Declare, That all the Laws past and agreed on by the Proprietor and Chief Governor, and Freemen in Provinciall Councill and Assembly, made before the Proprietor's going for England, shall be, continue and Remayn in the same force as now they are, untill We shall Receive Orders out of England about or concerning that matter; With this Proviso: That the Governor may issue out Commissions for Provinciall Judges, under the Proprietor's Lesser Seal: and That in the meantime, We do hereby Require and Command all Officers of this Province and Counties annexed, that they, in their severall Stations and places, do Act in all their proceedings and doings according to the Charter and Laws made by the Proprietor and People, as aforesaid, untill further Order. Given at Philadelphia, the three-and-twentieth of the third month, Anno Dom. 1689.

JOHN BLACKWELL, Gov^{r}.

Peter Alrichs,
Griffith Jones,
Luke Wattson,
Barth. Coppock,
John Hill, } y^{e} Committee.
John D'Haes,
Wm. Markham,
Will. Clark,
Will. Yardley.

Wherupon y^{e} Governor acquainted the Councill he had nothing further to propose to them at pesent; and that, (although he might not dispence with their Charter-attendance, not knowing what might fall out on a suddaine,) Yet he saw no incouragem^{t} to call them together oftener than necessity required, they being grown into such ffactions as he could Expect little assistance from them: That he would therfore Governe them in all points according to the Charter & Laws, as they had declared, so farre as he might act as Governor without them, untill he should heare further from England; and if any urgent occasion required it, he would give them notice therof. In the meantime adjourned them till further Order.

The Govr having on ye 16th day of ye 6th Mo., 1689, Recd a Letter from Joshua Barkestead, dated Talbut County in Maryland, the 8th of August, 1689, Directed ye Secrety forthwith to issue Orders to the respective Sheriffs to Sumon all the members of ye Provll Councill to appeare in Councill in Philadelphia ye 28th day of ye sd 6th month, 1689, which was done accordingly.

At a Councill at the Govrs Lodgeing in Philadelphia, ye 28th 6th month, 1689.

PRESENT:

JOHN BLACKWELL, Esqr., Govr.

John Symcock,
Samll Carpenter,
Griffith Jones,
Barth. Coppock,
John Curtis,
John Hill,
Wm. Markham, Secre.

The Petition of Robert Turner, Benja. Chambers, &c. in behalfe of themselves and others, was Read, Requesting an ordr for ye Laying out a Road from Philadelphia to Bucks County, &c.

Wherupon it was Ordd yt Robt Rurner, Benj. Chambers, Jos. ffisher Sylas Crispin, Tho. ffayreman, Robt Addams, with a Surveyr, wth what Convenient Speed may be, do sett out a Cart road according to Statute.

The Petition of Tho. Clifford, for satisfying 5 years Service as Doore Keeper & messenger of ye Councill was read, and Referred to a fuller Councill.

Adjorned till 9 to morrow morning.

At a Councill held at ye Govrs Lodgeing in Philadelphia ye 29th 6th Mo., 1689.

PRESENT:

JOHN BLACKWELL, Esqr. Govr.

Samll Carpenter,
Griffith Jones,
John Curtis,
Wm. Clark,
John Hill,
Peter Alrichs,
John Symcock,
John Bristow,
Barth. Coppock,
Wm. Markham, Secre.

The Petition of Tho. Clifford was againe Read.

The before named members of Chester, vizt: John Symcock, John Bristow & Barth. Coppock, promised to pay 20s in part of 6lb. Wm. Clark & John Hill ye like 20s for ye County of Sussex. And upon debate, Ordered yt a Letter be written to ye Gent: of ye County of Bucks as from ye Govr & Councill, desiring them to do as all ye other Countyes have done, in advanceing each County 20s on this occasion.

Ord^{ed} That besides y^{e} sayd six pounds formerly directed and advanced as afore sayd, there be 40^{s} more, viz^{t}: 3lb^{s} in all, layd on each County at their next Levyes, to be payd to y^{e} s^{d} Thomas Clifford, in full satisfaction of all his claymes & demands whatsoever, to be returned by y^{e} respective Sheriff's, & that it be recommended to y^{e} respective Justices to order and forward the same accordingly.

Agreed nemine Contradicente.

Adjourned till 3 of y^{e} Clock in y^{e} afternoone, p^{r} cize.

POST MERIDIEM.

Present the same pesons as in y^{e} forenoon.

The Gov^{r} acquainted y^{e} Councill, That y^{e} reason of his calling them together at this time was to minde them that there had been formerly severall Rumors of danger from y^{e} french & Indians, in conjunction with y^{e} Papists, for y^{e} Ruine of the Protestants in these parts, and of y^{e} alarme formerly given, as if 9 thousand french & Indians were then neare approaching for y^{t} purpose, upon w^{ch} y^{e} Justices & Sheriff's of y^{e} two Lower Countyes, with y^{e} people thereof, had betaken themselves to armes for their defence; wherof he then gave y^{e} Councill an account, from y^{e} Letters he rec^{d} out of y^{e} s^{d} Countyes: as also, of a Letter he had rec^{d} from one Cap^{t} Le Tort, (a french man, living up in the Countrey,) agreeing therewith; which they did not see any reason to give heed unto: And further, to acquaint them y^{t} he had lately rec^{d} a letter from M^{r}. Joshua Barkstead, out of Maryland, advertising there was sufficient proof that y^{e} Papists in Maryland had been tampering with y^{e} french & Northern Indians, to assist them to cutt off y^{e} Protestants, or at least to reduce them to y^{e} See of Rome, &c., which Letter was read in Councill: adding an account thereto of y^{e} Crueltyes & barbarous usage of y^{e} french Indians upon y^{e} people of New England; murthering about 100 persons, burning houses, & plundering y^{e} people of their goods & Cattell, &c., and (using y^{e} Proverb) that there was no smoak without some fyre. That these things might be Expected to come suddanily upon us, as well as our neighbours. That his office was to be their watchman, & he durst not conceale the Knowledge of these things, Without acquainting them & receiving their opinions & advices what was fitt to be done therin for their security, and setling the mindes of y^{e} People, who in some places, (pticularly in New Castle,) upon the apprehension of feare from these things, had been very much disquieted & taken themselves to armes, but were quieted by the Justices of that County residing amongst them. He also acquainted them, That divers of the inhabitants of New Castle had declared themselves unsatisfyed That King Wm. had not been proclaymed as in other Countyes, & that y^{e} same had been signifyed to him by M^{r}. John Cann, By whom y^{e} Gov^{r} sayd he had sent them word; he had not rec^{d} any orders for y^{e} doing it, nor did he know in what manner or tearmes it was to be done, having never seen any proclamation for that purpose; and that he feared he might either Exceed or fall short of the titles ought to be given him, which would (he thought) be treason in either case; That he Expected y^{e} first ship out of England would bring orders about it, and y^{t}

upon receipt therof, he would do as he should be directed. That having called y^e Councill to advise him in these cases, he had nothing else to trouble them about at this time; but if any damage should happen to them for want of what informacord he had rec^d he knew he was responsible to y^e King & state of England, (to y^e hazard of his life,) if ye Province should be invaded & lost out of his Maj^{tyes} Dominions: & Therfore, prayed they would be very Serious & Solemne in giving him their opinions & advices what they thought of these informations, and what they would have him do therin, for that he knew he could do nothing without their assistance, but suffer with them, which he feared was neare at hand, &c.

Wherupon Peter Alrichs gave an historicall acco^t of y^e proceedings of y^e Mohawks in the yeare 1665, Concluding he did not think they were any great number, or that there was cause to be affrayd of them, &c.

Wm. Clark sayd: he beleived some thing might have beene heretofore intended of such a nature as was suggested, but that being frustrated, he believed that designe is wholly dead; neverthelesse, that he thought they were obliged to y^e Gov^r for signifying these things to them.

John Symcock sayd: he did not see but that we are as Safe, Keeping peaceable, as those that had made all this strive.

Griffith Jones sayd: he saw no cause of danger if we can but Keepe quiet among ourselves.

John Bristow sayd: he saw no need of raysing forces, for he saw no danger; But that he looked upon it as the privilege of the people to have their members psent if there be. (so also sayd John Symcock.) To w^{ch} y^e Gov^r replyed he had given order to have all such as were allowed members of y^e Councill to be Summoned; but if they refused to come he could not help it. He must & would be satisfyed with y^e opinion & advice of such as were psent.

John Hill sayd: He had spoken with very eminent knowing men, & saw no likelyhood of danger.

Sam^{ll} Carpenter sayd: he had spoken with two psons that came from Maryland, who did not believe what was talked; that he did not feare any thing from any news we had thence, and y^t he was of opinion wth John Bristow, for having all their members present.

Barth. Coppock sayd: the news was new to him, & it did not appeare to him that we are in any danger [at psent] by the Indians, or papists either: and was of the same opinion about having all their members psent.

John Curtis sayd: he had heard a great while of these things, But they signify nothing but a Rumor: as for y^e Indians, they are quiet, & for his owne perticular he had no feare upon him, & that he was of the same opinion about having all their members psent.

Wm. Markham sayd: he app^{r}ehended That to speak of danger from y^e Indians would but skare y^e women & children; and that our Constitution will not admitt us to defend ourselves. The only way is to forbeare all thoughts or seeming fears of the knowledge of it; for that will represent us as people frighted, &c., unlesse we were under such a Constitution of Governm^{t} as to take to armes, to be ready upon occasion if any thing should come. And as touching the businesse of proclaiming the King, it was unanimously agreed that it was not at psent advisable, unlesse we had orders for doing it.

Wherupon y^{e} Gover^{r} gave them thanks for so perticularly & freely advising him, & told them he had nothing further to occasion their stay at psent, unlesse they, or any of them, had any thing to impart from the respective Countyes fitt for psent Consideration. It being Replyed by divers that they had not, he adjourned the Councill to meet at New Castle y^{e} tenth day of y^{e} next month, about some perticulars relating to that County & the adjacent neighborhood.

MEMORANDA. The Governor upon a necessary occasion afterwards, appoynted the meeting of the Councill at New Castle to be on the 17th of September, and accordingly went thither: And by the way, took a view of the Mill & Mill race Erected by Cornelius Empson. (Wherof complaynt had been made by Petition from severall of the inhabitants of Chester County.) But there appearing but five of the members of the Councill, viz:

John Simcock,	Peter Alrich,	Wm. Markham, Secretary,
John Bristow,	John Dehaes,	

nothing was done therin.

On the first of October following, Samuell Gillham, master of the Ketch Crane, of Dartmouth, in the Kingdom of England, delivered to y^{e} Gov^{r} a pacquet, wth this superscription following, viz^{t}:

For his Ma^{ties} speciall Service. To William Penn, Esq., Proprietor of their Ma^{ties} Province of Pennsilvania in America: And in his absence, To the Gov^{r} or Comander in chief of that Province, for the time being, In Pensilvania.

4. Wherin was conteyned a Letter bearing date, Whitehall, 13° Aprill, 1689, signed Shrewsbury. Upon the Receipt & reading wherof, The Gov^{r} askd the sayd Gillham If that were all he had, and observed perticularly to him, that there was no Proclamation or Instructions about proclayming their Majestyes; and ordered the same to be publiquely read by the Secretary for the satisfaction of the people, who had heard there was such Orders come.

The same day the Gov^{r} directed that sumons should be issued for all the members of the Provinciall Council to appeare at Philadelphia on the first day of Novemb^{r} following, in ord^{r} to the imparting the same to them.

The next day the Gov^{r} gave the sayd Gillham a Certificate, under his hand, & the Provincial Seale annexed, signifying That he had received the sayd Letter, & should observe the contents therof, and of his proceedings therin give acco^{t} to their Ma^{ties} Principall Secretary of State by the first opportunity of Conveyance.

At a Council held at the Gov^{ers} Lodgeings in Philadelphia the first day of the ninth month, 1689.

PREST:

JOHN BLACKWELL, Esq^{r}. Governor.

Samuell Carpenter,
Griffith Jones,
John D'Haes,
John Hill,
Peter Alrichs,
Luke Watson,
John Simcock,
John Bristow,
Barth. Coppock,
Wm. Markham, Secr^{y}.

The Governor caused the Entryes of the Proceedings of the last Councill to be Read,

And acquainted the Councill That the most of what he judged needful for him to say to them at this time was to the purpose of what he spake then. To which he Referred, the same having been Read; only Added, That he had Rec^{d} from the Principal Secretary of State, by his Ma'ti^{es} Comands, a letter, which he caused to be read over, w^{ch} is of y^{e} tenor following, viz^{t}:

WHITEHALL, 13 Aprill, 1689.

DUPLICATE.

S^{r}:—I am by his Ma'ti^{es} Comands, to acquaint you That his Maty. being sensible of the great & frequent injuryes his subjects dayly receive from the ffrench, in apparent violation of the treatyes between the two Crowns, and particularly by the assistance that King has lately given, & continues to give his Enemys in Ireland; and by the invading his Ma'ti^{es} Territoryes in America, and disturbing the trade of his subjects in those parts for severall years last past: His Ma^{ty} has therfore, directed all necessary Preparations to be made for a speedy warr with the ffrench king, which has occasioned the giving you this notice of it, That you may with all possible diligence take effectual care for the opposing & resisting any attempt of the ffrench upon his Ma'ti^{es} Province of Pensilvania; And that all ships coming from thence, do not sayle hereafter otherwise than in ffleets: And you are also to Assure his Mati^{es} Subjects in that Province of his Mati^{es} Protection, by sending forthwith a considerable squadron of ships into the West Indyes, and other Succours that shall be requisite, not only securing his Mati^{es} Plantations in America, but obligeing the ffrench to make Reparation for the many unjust & violent proceedings & attempts against his Mati^{es} Subjects in those parts. I am,

S^{r}., yo^{r} very humble servant,

SHREWSBURY.

Upon the Reading herof in Councill, The Gov^{r} desired their advice, both as to what they thought fit to be done therupon, and what answer returned to the Secretary of State about it. And that they would be very serious in it, for that the danger was not only now as formerly, suggested by private uncertaine hands, but from the Secretary of state, by his Mati^{es} Comands, &c. M^{r}. Alrichs declared He thought it necessary some thing should be done.

M^{r}. D'Haes, Desired The Gov^{r} would not take it ill that he sayd He would not Act either as a Magistrate in New Castle or here, untill he knows who is King: which he Repeated severall times, adding, It is not safe to act without proclayming the King.

The Gov^r^ told him, He believed that King William & Queen Mary, The Prince & Princess of Orange, were King & Queen of England, &c. But he had not seen the Proclamation, & so knew not how to Proclayme them, &c.

M^r^. D'Haes his opinion (that it was not safe to act without proclayming the King) occasioned severall others to declare their minds about it, and that the people were earnestly sett upon the doing it themselves in some of the Countyes, &c.

The Gov^r^ Declared He was as ready & desirous to do it as any body, if he had y^e^ Proclamation & orders for doing it; but having not, Proposed for their satisfaction who were impatient about it, That a middle way might be considered of, Which he thought might be done by a Declaration of the Gov^r^ & Council, owning their authority, and declaring their readinesse Solemnly to Proclayme them as soon as we should receive orders, or an authentique coppy of the Proclamation, which he Expected by the next vessell that should come out of England.

M^r^. Simcock sayd: If a forme of Declaration had been sent to us to have Proclaymed them I think we must have observed it: But in as much as there is no Comand sent us by the King of England, (who so ever he be,) nor from the Secretary, to Proclayme any King here, I think we have no reason to do it. But I would submit my self to better understandings. The case is doubtfull. We are not to believe but to be certain in such matters, &c.

The Gov^r^ told them, They had Proclaymed King James without Order.

John Simcock Replyed: King James was by an Act of Parliam^t^ voted the heir to his brother & so he came in: Now who ever comes in to put him out, Pray let us consider How he comes in: We have an act of Parliam^t^ for the one, but not for the other. It may be dangerous for us to do it without an Order.

M^r^. Markham sayd: How the King came in We are not to dispute: There is nobody here to question How King William came to the Crowne. No man doubts but that he hath it: The Gov^r^ himself does not question it. If so, why may it not be safe for us to yield all due obedience to him. We believe King William & Queen Mary are the King & Queen of England, and so of these Dominions; and since we believe it, where is the prejudice in obligeing of those who would have them declared to be so, as the Gov^r^ hath propounded. We suppose this Letter is come from the Secretary of State to King William.

John Simcock Replyed: How do we know that.

William Markham. The Letter says their Majesties, and it can be meant of no other. I believe it's meant of them.

John Simcock sayd: We are not to Act by fayth in this matter, but with certaynty.

M^r^. Markham sayd: Since we believe it, where is the prejudice. The Gov^r^ proposed a methodicall way for Our declaring Our obedience to King William and Queen Mary, and that we are wayting for the forme & manner of proclayming them. To do this will give Satisfaction to all.

Griffith Jones. I know not why we should be more forward than our neighbors. There are two Provinces that have not. It is sufficient for us to proclayme him when we have orders for the doing it. But if we should do it before, certainly we may run ourselves into danger; and for my part I think, That if any thing be done about declaring it, It is no less to me than Proclayming him. It is our part, & enough, for us to obey the King's authority when we have it.

John Simcock. It is a trivial thing for us to declare the King till we are Comanded.

The Gov^{r} sayd: I think for peace sake with our neighbors & amongst our selves, we should do it, and moved A Comittee might be appoynted for drawing a Declaration in the name of the Gov^{r} & Council, & as their joynt agreem^{t}, That all Proces, warrants, & orders that usually past in the King's name, be hereafter issued in the name of their Mati^{es}, King William and Queen Mary: And all Comissions of officers to continue till further Orders; And named William Markham, John Simcock & Jo. D'Haes a Comittee for drawing such a Declaration, and presenting it to the Councill to morrow morning, allowing any other members of the Council to be present at the drawing it, that should think fit; And therupon adjourned till to morrow morning at Seaven of the Clock.

At a Council held at the Governor's Lodgeings in Philadelphia the second day of the ninth month, 1689.

PRESENT:

JOHN BLACKWELL, Esq^{r}., Governor.

Peter Alrichs,	John Hill,	John Bristow,
Griffith Jones,	Barth. Coppock,	Sam. Carpenter,
Luke Watson,	John Simcock,	Wm. Markham, Secr^{y}.
John D'Haes,		

The Com^{ttee} named last night, brought in the draught of a Declaration, which was Read; but severall things therin objected against were proposed to be allowed, w^{ch} were agreed unto, and the same being fairly transcribed, was read over severall times; and upon the Question put, viz^{t}: Whether this Declaration be agreed on as now amended? It was Resolved in the affirmative, by all the members declaring themselves by standing up in their places, nemine contradicente, and accordingly signed by the Gov^{r} & Council, Which is as followeth, viz^{t}:

By the Governor & Councill of the Province of Pennsilvania and Countyes annexed.

Upon sundry and Credible informations from England & many other places, more especially upon perusall of a Printed paper signed

John Brown, Clark of the Parliament, instituted, The Declaration of the Lords spirituall & temporall, & Comons, assembled at Westminster, bearing date the 12^{th} of ffebruary, 1688-9, Wherin is this clause following, viz^{t}: The sayd Lords spirituall & temporall, & Comons, assembled at Westminster, Do Resolve:

That William & Mary, Prince & Princess of Orange, be and be declared King and Queen of England, France & Ireland, and the Dominions therunto belonging, To hold the Crowne and Royall Dignity of the sayd Kingdoms & Dominions To them, the sayd Prince & Princess, during their lives, and the life of the Survivors of them:

And that the sole & full Exercise of the Royall power be only in and Executed by the sayd Prince of Orange, in the names of the sayd Prince & Princess, during their joynt lives; and after their decease, The sayd Crown & Royall dignity of the sayd Kingdoms & Dominions to be To y^{e} heirs of the body of the sayd Princess, and for default of such issue, To the Princess Ann, of Denmark, and the heirs of her body; And for default of such issue, to the heirs of the body of the sayd Prince of Orange.

And the sayd Lords spirituall & temporall, and Comons, do pray the sayd Prince and Princess of Orange to accept the same accordingly:

And wheras, We have understood That the sayd Prince & Princess of Orange have been since proclaymed, Crowned, and do now Reigne accordingly: But having not hitherto Received the Proclamation to be how published, We have therfore thought fitt by this publique instrument, to make manifest to the world Our Loyalty & true affections To the sayd Prince & Princess of Orange, by acknowledgeing them to be Our King & Queen accordingly; And do therfore, strictly charge & Comand all the people & inhabitants within this Government, to yield all due & lawfull obedience unto William & Mary, King & Queen of England, &c., as their Lawfull King and Queen.

And it is hereby further comanded, That all Justices of the peace, Sherriffs, Clerks, Coroners, and all other officers whatsoever, now in Comission under this Government, or by the authority therof, do from hence forward act & do all things relating to their offices, in their names; And that all process be issued out in their names. And it is hereby further declared, That all officers Comissionated or inpowred by this $Governm^{t}$, do stand, abide & remayne in the same stations, offices and inployments, as they were before the date herof, & so remayne & continue untill further Order. (Roman Catholiques only Excepted:) And That all proces issued out before publication herof, do remayn & continue in full force and virtue. Dated at Philadelphia, the second day of the ninth month, 1689.

JOHN BLACKWELL, Gov^{r}.

William Markham, John Bristow,
John Simcock, Peter Alrichs,
Sam. Carpenter, J. d'Haes,
John Hill, Griffith Jones,
Luke Watson, Barth. Coppock.

Ordered, That copyes of the sayd declaration be transcribed & sent to the severall sherriffs of the respective Counties, with orders to cause the same to be forthwith published, & at the furthest by the next respective Court. This being over, The Governor then desired they would have consideration of the Letter before Recited, and desired they would give him their advice upon it.

Griffith Jones sayd: He thought we might suspend the Execution of it for the present, being in Expectation of hearing from England: Perhaps there will be no need of putting the Contrey to so great a charge. We are not able to bear it unlesse there were a necessity that required it. Let us wayt a little longer.

Jo. d'Haes. What if any hurt come in the mean time if we delay it before we are prepared. I think notice should be given to all the people to get powder & shott, and their armes, in a readiness against there be occasion. That will do no hurt.

John Simcock. I see no danger but from the Bears & wolves. We are well, & in peace & quiet: Let us Keep ourselves so. I know not but a peaceable spirit, & that will do well. For my part I am against it clearly: and, Governor, If we refuse to do it, Thou wilt be Excused.

John Hill. He thought if we should put ourselves into Armes, The Indians would rise against us, suspecting we intended harm to them. I desire, therfore, we may forbeare till we heare out of England.

Luke Watson. You having (Governor) received such orders from the King, If the thing be not done, & any hurt come to the Contrey, for my part I think he may require our lives and Estates at our hands. Twenty men, as things now are, may come & do what they will. I look upon it That you should settle a Militia to defend his Mati^{es} Subjects, according to his directions from Whitehall.

Griffith Jones, Besides repeating what he sayd before, sayd: He desired the Countrey might not be put to those charges. It will be looked upon as very grievous & burthensome.

Here the Governor read the clauses of Power given to the Proprietor by the King's Grant to him, &c.

John Simcock sayd: He was against it; Expressing that what was granted by the King to the Proprietor was but a lease to him that he might do it; and sayd, I will have no hand in it.

Luke Watson. The people in the contrey look upon themselves to be in danger, and desire they may be put into a condition to defend themselves, &c.

John Hill answered: I will ingage they will not appeare one in five upon traynings.

Wm. Markham. My opinion is That we ought to have our armes as well fixed & prepared in time of peace as warr, for we know not how soon warr may come upon us, especially in this countrey, where we have such sort of people amongst us. And whether it be come or not, &c.. I allways keep my owne armes prepared.

Griffith Jones. Every one that will may provide his armes. My opinion is that it be left to the discretion of the Governor to do what he shall judge necessary.

Sam. Carpenter. I am not against those that will put themselves into defence, but it being contrary to the judgm^{t} of a great part of the people, & my owne to, I cannot advise to the thing, nor Express my liking it. The King of England Knows the judgem^{t} of quakers in this case before Governor Penn had his patent. But if we must be forced to it, I suppose we shall rather choose to suffer than to do it, as we have done formerly.

Barth. Coppock. I am of the same opinion wth Sam. Carpenter in what he spake last.

Gr. Jones Proposed againe, That they would referr it to the Gov^{rs} discretion to do what was fit & necessary in the case; to which some others seemed to agree. Wherupon, the Governor spake to the Secretary to draw a Question to be put for that purpose.

John Simcock & Sam^{ll} Carpenter declared against that, conceiving it might be prejudicial to them to be otherwise than passive in the matter; so no Question could be agreed upon.

The Governor therfore adjourned the debate to the 2^{d} day of next week.

At a Councill held at the Gov^{rs} Lodgings in Philadelphia the fourth day of the nine month, 1689.

PRESENT:

JOHN BLACKWELL, Esq^{r}., Governor.

Sam. Carpenter,
Peter Alrichs,
John D'Haes,
John Simcock,
John Bristow,
Barth. Coppock
Griffith Jones,
Luke Watson,
John Hill.

The Gov^{r} acquainted them, That having adjourned the debate of the last meeting upon the Letter till this morning, He hoped they would now come to a resolution upon it. And in order to their better apprehending the true sense of the 7th Article or paragraph of the Charter of Libertyes, formerly read to them upon this Debate, (wherin it is sayd, That the Governor and Provinciall Councill shall at all times have the care of the peace and safety of the Province,) He Read unto them the Preamble of the two Acts of Parliam^{t} past in Engld, touching the King's sole & supreame Right & power in & about the ordering of the Militia within all his Mati^{es} Realms & Dominions, the one past in the 13th year of the late King Charles the 2^{d}, cap. 6. intitled, The Militia Declared to be in the King. The other in the 14th year of the same King, cap. 3^{o}, Intitled, For Ordering the Forces in the severall Countyes of this Kingdom. Wherin, amongst other things, It is Exprest That both, or either of the houses of Parliam^{t}, can not nor ought to pretend to the same, &c. And observed and Argued therupon, That if both the houses of Parliam^{t} of England could not, much lesse could the Provinciall Councill of this Province clayme any Interest in ordering the militia, when the King, by his Letters patents under the great seale, had deligated his power to the Proprietor and his heirs, to Exercise the same in this Province.

The Govr also observed to them, That the Charter of priviliges granted by the Proprietor to the people, was limited & qualifyed by this Expression in the preamble therof, vizt: (so farr as in him lyeth,) and [according to the powers of the Patent.] And That By a law past in this Province, Intitled An act of Settlement, This clause is conteyned, vizt: Be it Inacted by the authority aforesd, That the Govr & Provinciall Councill shall have power of preparing & proposing to the Genll. Assembly, All such bills which they shall joyntly assent to & think fit to have past into Laws, in the sayd Province & territoryes therof, that are not inconsistent with, but according to the powers granted by the King's Letters Patents to the Proprietary & Governor, So that he conceived It was not in the Proprietor's power to subject or Expose the King's Province to the hazard of being delivered up or lost to any invaders what so ever: And that therfore, the sayd 7th Article of the Charter of Privileges ought not to be so construed as that the Governor without the Councill, could not use Armes for its Defence. And That the King being sensible of danger approaching by the ffrench, had Ordered in his Letter aforesayd, That the Proprietor, and in his absence The Govr or Comander in chief of this Province, should have notice of his intended warr with France, That they might with all possible diligence take effectuall care for the opposing and resisting any attempt of the French upon this, his Ma'ties Province of Pensilvania, &c.

That this could not be done by the Proprietor's or Govrs owne hands, but needed the advice & assistance of the Council, & people inhabiting here. That the Constituting of the Proprietor & his heirs by his Ma'ties Captain Genll, with powers, by themselves or their Captains, or other their officers, To Levy, muster & trayne all sorts of men, of what condition or where so ever borne, in the sayd Province, for the time being, and to make warr & pursue his enimyes, &c., And to do all & every other thing wch unto the charge & office of a Capt. Genll of an Army belongeth, or hath accustomed to belong, as fully & freely as any Capt. Geall. of an Army hath ever had the same, (wch are the Expresse words of the King's Grant, and were read unto them,) implyeth a great confidence his Maty Reposed in the Proprietor; and also, a Condition of ye Grant of the Province; and a faylor herin might prove a forfeiture. Especially, for that the King hath been pleased to give notice of the danger to the Proprietor, Which though perhaps we could not see, we were to believe, and give his Maty thanks that he is pleased to be so mindfull of our security, and to notify to us our danger, in order to our providing against it.

The Govr also recited to them a further clause in his late Matys sayd Lrs. Pattents, to this purpose, vizt: And for as much as in the Governmt of so great a Contrey, suddain accidents do often happen, wherunto it will be necessary to apply remedy before the freeholders of the sayd Province, or their deligates or deputyes, can be assembled to the making of Laws: Neither will it be convenient That instantly upon every such imergent occasion, so great a multitude should be called together: Therfore, ffor the better Governm^t of the sayd Contrey, We will and Ordayn, And by these presents, for us, our heirs & Successors, do Grant unto the sayd William Penn and his heirs, by themselves or by their magistrates & officers in that behalf, duly to be ordayned as aforesayd; To make and Constitute fit & wholsome ordinances from time to time, within y^e sayd Contrey, to be kept and observed, as well for the preservation of the peace as for the better Governm^t of the people there inhabiting, and publiquely to notify the same to all persons whom the same doth or may any wayes concerne, which Ordinances Our will & pleasure is, shall be observed inviolably within the sayd Province, under payns therin to be Expressed, So as the sayd Ordinances be consonant to reason, and not repugnant nor contrary, but so far as conveniently may be, agreeable with the Laws of Our Kingdom of England: And so as the sayd Ordinances be not extended in any sort to binde, change, or take away the Right or interest of any person or persons, for or in their life members, ffreehold, goods or chattels.

The Governor also Proposed to them the consideration of the care taken in all other his Ma^{ties} Territoryes & dominions about the setling & ordering their Militias, and particularly the Laws past for that purpose in this Province & whilest it was united to New York and the Jarseys, under the Governm^t of his late Royall Highnesse the Duke of York, before his Ma^{tyes} Grant of this Province to the Proprietor, and that he could not tell how to answer the neglect of making due & necessary preparations for defence of the Province & people comitted to his Governm^t: And upon the whole, prayed them They would be very serious & solemne in the debate & consideration of these matters: for that he must returne an answer of the letter & signify his proceedings by the first opportunity of Conveyance. And ffor as much as at the last meeting of the Councill, It had been by some of them moved, (That since divers of them could not by their principles consent to or be active in the directing or ordering any thing of this nature,) That they would cast it off from themselves and leave it to the Gov^{rs} discretion to give such answer to the sayd Letter, and to act therupon as was requisit, He Proposed this Question to be debated, viz^t:

Whether It should be left to the Gov^{rs} discretion to pursue & put in Execution the King's directions signifyed in the sayd Letter, according to the clauses of powers given to the Proprietor in the Letters Patents from his late Maty. King Charles the second, of the Grant of this Province to the Proprietor, in order to the defence of this Province against the ffrench or any other invader of this Province & Countyes annexed, in all things as neare as may be according to the Laws of England and of this Province whilest under the Governm^t of his late Royall Highnesse the Duke of York, &c.

John Simcock sayd, We can neither offensively nor defensively take Armes. We would not be understood to tye others' hands; they may do every One what they please. We do not take upon us to hinder any. I do not think The Gov^r need to call us together in this matter. We can not at all Question the power of the Governor. It is a thing too hard for us to meddle with; and so we leave it.

Griffith Jones sayd, The case is hard. I desire to be passive & not to concern my self in it, either to give a negative or affirmative. God has preserved his people in times past, and as I would not hinder, but pay all respects to the King & Governor, So I desire to be excused from the question, One way or other. I do it not to refrayne charges, but cannot give advice what to do in it. I believe, were there other Quakers here, they would all say They had no advice to give: And therfore, As we leave the Gov^{r} to his own discretion, & others to do as they see cause wth safety to themselves, So we desire the Gov^{r} will let this Question fall.

John Hill sayd: my desire is, That no compulsion be upon those that are of tender consciences: but that it be left to the Gov^{r} to do as he pleases, and to take the care of it himself.

John Bristow sayd: I believe the power is in the King & by him derived to the Governor; but there must be reason & cause for it. I do not see but we are in peace, and so are like to be.

John D'Haes sayd: I think it needfull that every man do get his Armes ready, and furnish himself with powder & bullet, to be used if there be occasion.

Peter Alrichs sayd: I am for it, That the Gov^{r} do what he pleases. Some Regard must be had to the King's Letter.

Luke Watson sayd: I suppose the whole power is in the King & you as Governor, and I desire That you will Act & do according to the Law of England and other places, for I do not think ourselves safe.

The Gov^{r} proposed The Question might be put as is before Exprest, reading the same to them: But that being spoken against by severall, He proposed then That the Question should be put, Whether that Question should be put or no.

John Simcock desired That him self & some others might be permitted to withdraw for a while to consult by themselves; Which (though un-usuall) for their satisfaction, The Gov^{r} admitted it.

Wherupon He, the sayd John Simcock, John Bristow, Barth. Coppock, Griffith Jones, and Sam^{ll} Carpenter withdrew, and after a while came in againe, And The sayd John Simcock, in behalf of himself and the Rest, sayd as followeth, viz^{t}:

We would not tye others' hands, But We cannot Act. We would not take upon us to hinder any, And do not think the Gov^{r} need to call us together in this matter.

Sam. Carpenter sayd: We can not vote One way or other to either of the Questions, We say nothing against it, in regard it is a matter of conscience to us. I had rather be ruined than violate my conscience in this case. We do not take upon us to hinder any. I do not think the Gov^{r} need to call us together in this matter; And therfore we desire we may be no farther prest in this matter.

Griffith Jones added: I hope the Gov^{r} will not impose that which he would not have imposed upon himself if his Conscience were against the thing. We leave it to the Gov^{rs} discretion, who knows better than we how to answer the King's Comands by his Letter; and doubt not but he will make a fayre Representation of us to the King as to this matter.

The Gov^r Replyed: He lookd upon it as a civill thing belonging to the Civill magistrate's power; and declared, That if he should take up any opinion in civill matters against the Laws, peace & safety of the Contrey, If he could not act, he should hould himself bound to be passive: and in case a Comon charge were required, he should not scruple to pay his share therof for the safety of the Contrey where he should dwell, and preserving it against all invaders; But,

In as much as they declyned any advice or assistance, and had declared so generall a voyce to leave the matter to his discretion, He would consider what was his duty in the case, and Act after the best manner he could accordingly, for the preservation of the whole, without further pressing them on this occasion. And That By the first opportunity, he would give account of his Actions to the Secretary of state, and the Honb^{le} Proprietor of this Province, his Master.

A Petition was presented to this board from Tho. Harris, praying an Appeale might be granted from the County Court of New Castle, after Judgm^t & Execution, both in law and equity: But for as much as the sayd Court saw no cause to allow any, nor was any sufficient cause alleged, Upon the Question put, Whether it should be admitted, & the matter Reheard at this board, It was carryed in the negative.

A Petition was likewise exhibited to this board from Wolto Rawson, setting forth That he was distreyned upon by Cornelius Empson, for Contrey Rates, in the County of New Castle, Wheras his Lands lay in the County of Chester, where he had allwayes till then been Rated & payd, &c.

It was Ordered, That he continue to pay in the County of Chester untill the Two Countyes shall have the Moors of the sayd Countyes otherwise determined, And that the Justices of New Castle do order the Restoring of the distresse taken by Empson.

A like petition was Exhibited from Wm. Clowd, upon like cause of distresse, And it was Ordered in his behalf as in Wolto Rawson's.

The Gov^r proposed That either the members of the Councill would give their constant attendance, according to the Provision made by the Law, viz: one out of each County; or at least that they would agree & order, (and it was accordingly agreed and ordered, nemine Contradicente,) That in case the Gov^r should see cause at any time or times herafter, to Sumon a Councill, the charges of conveying all Sumon's should be borne & payd to the Secretary by an equall apportioning the sayd whole charge upon each County; And That the members of the Councill that should appeare, should disburse the same to the Secretary, at their meeting therupon, and should afterwards Levy the same by a County Rate, for their Re-imbursement.

Wherupon, The Gov^r dismist the Councill from their further attendance for the present, and untill new Sumons.

December ye 13, 1689.

Vpon a pacquits arrivall this Day ffrom ye Proprietary, Directed to ye Goverr, he ordered a Councill should be Summonsed to meet in Philadelphia ye 31 Inst.

At a Councill held in ye Councill Roome at Philadelphia ye 31 of ye 11[*] Mo., 1689.

PRESENT:

JOn BLACKWELL, Esqr., Goverr.

Jno. Symcock,
Griff. Jones,
Samll Carpenter,
John Bristow,
Wm. Stockdale,
Jon Hill,
Wm. Markham, Secry.

The Goverr Supposeing more members of Councill would be in towne to morrow, the weather being bad might hinder their traveling, Adjorned till then, two in ye afternoon.

At a Councill held in ye Councill Roome at Philadelphia ye first of ye Eleventh month, 1689-90.

PRESENT:

JOn BLACKWELL, Esqr., Goverr.

Tho. Lloyd,
Jno Eckly,
Samll Richardson,
Wm. Stockdale,
Bart. Coppock,
Jon Symcock,
Wm. Clark,
Jon Bristow,
Griff. Jones,
Samll Carpenter.
Jno. Hill,
Wm. Markham.

After ye Goverr had Apologized for haveing his Speach in writing, and had read ye same, wch ffollows verbatim, viz:

Gent. I had not Called you together at this unseasonable time of ye year, had not the Extraordinary occasion which I shall acquaint you with all, Required it, wch is indeed Such wherein as well my owne interes, peace and Comfort, as your Contentment, are Concerned. I shall not Spend more time in Digressing or witholding the mutuall Satisfaction this meeting will afford vs, Then I Judg necessary, (as introductive to ye Communicating of what I have vpon me to Say vnto you.)

My manner of Entrance and being received amongst you in this place is Knowne to Divers of you, and by what authority and Commission I was Constituted Goverr of this Province, &c., vnder ye Absolute Proprietary & his heirs. I Tould you fformerly, (at what time I began to be Sensible of some of your ill resentments of me,) that I sought not to be your Goverr: But it arose ffrome ye mere good will and Pleasure of ye Proprietor to propose and require that Service of me, by his Comission sent me to new England, (with Instructions bearing date ye 12th day of ye 5o Mo., Called July, 1688,) which I have heard some of you have sayd 'twas but probationary.

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[*] This should be the tenth month.

As I never looked vpon it as an Inheritance, so I am Sure I Came on no other terms of my makeing or accepting then to doe you service at his Request, w^{ch} I have Diligently and ffaithfully (according to y^e best of my vnderstanding,) indeavored to manifest, my Conscience not vpbrayding me, w^{ch} I shall willingly doe in any Capacity rather then this Highest.

I Came (indeed) with full purpose of Returning before y^e advance of y^e Last Summer's Season, but such has been y^e state of Publick affayres as Inginuity would not permitt me to leave y^e trust Committed to me whilst my master was vnder any Evill Circumstances, (by y^e Late revolutions,) without his ffree Concent and Directions about your future Settlement, w^{ch} I have now Received.

How vneasy my Continuance has been to some of you has been Represented to me by their writing; How burthensome to my selfe, my Spiritt has frequently dictated; my tougne has (perhaps) over Concernedly Expressed to others of your selves, and my Severall Letters of Complaint of y^e Insupportableness of it, and my repeated Requesting of y^e Hob^{le} Proprietor to be Released therefrom are Witnesses; So I have testimonyes not only within myselfe, but in some of your brests, also in y^e Proprietor's hands, and some of my near relations imployed therein, to whome I perticularized y^e promoting grounds and Reasons thereof, w^{ch} will sufficiently evince y^e Sincerity of my Heart in desireing to be acquited therefrom, and which I hope I shall Confirme to you Ere I have done.

The Proprietor has been pleased very kindly to Resent w^t I have written of y^t nature, (as his Letters to me of Severall dates, but Coming alltogether in one paquit by this Last Conveyance, doe Satisfie me,) ffor w^{ch} I shall returne him my Sutable thanks. But withall, he has given me a touch of Some representations that have Come to him hence concerning me, and what a Spiritt has been raysed in ffrinds to his Disquietm^t there vpon y^t acco^t vnder his present afflictive circumstances, w^{ch} I am very Sory ffor, but shall not Trouble you with y^e Particulars, or my Sence of y^e Procuring Cause thereoff at present. 'Tis enough ffor me to hint those things to you, who must needs know of Them, at least Some of you, so I shall not in y^e Least Disturb y^e Serenity of my owne minde, or Discompose you (ffrom a joy full reception of y^e message I have to Deliver you) by any remarks therevpon, or give you ffurther occasion of Representing me a grievance to him in any sort.

'Tis a good day. I have given & I doe unfeignedly give God thanks for it, (w^{ch} are not vayne words,) for to Say no worse I was very vnequally Yoaked: and it being y^e Day of my Redemption from that Groaning, (I say,) I shall not grieve any of you, Neither Shall I Deteyne you longer in this porch.

Gent., I have Severall things to Communicate to you, by Command of y^e Proprietor, whereof these at present, viz^t:

ffirst, the Declaration of his selves to you and y^e people in Gener^{all}, with his ffervent resolutions to be with you by God's hand and help, by y^e very ffirst Door y^t his Providence opens, and his Sincere prayers to God for all your prosperity, wishing peace and happyness to abound among you every way.

Nextly, that y^{e} Consideration of my repeated desires to leave a Station y^{t} is So vneasie to Keep and Execute, has at Last brought him to resolve, tho' with reluctancy, (as he is pleased to his Express himselfe,) to answer my Request, and Ease me of that burthen. But upon y^{e} terms of takeing me to himselfe, &c., wherein he has made very kinde proposalls to me, and Sent me over Severall Commissions & Instructions, w^{ch}, when I Judg Seasonable to Ingage in, I shall Communicate vnto you. And lastly, to lett you know that I quit y^{e} place of Gover^{r} as a man that sought to be discharged from it.

In pvrsuance whereof, this being y^{e} place where, (after some debate amongst your selves,) you Declared your acquiesceing wth my Governm^{t}, I doe here with all heartiness, declare my Rejoycing in y^{e} Opportunity and leave I have of Resigning and Surrendering it vp. And I doe accordingly very ffreely and ffully resigne and Surrender all y^{e} powers and authorityes in my Commission and Instructions ffrom y^{e} Honb^{le} Proprietor, given me as Gover^{r}, into your hands and acceptance, viz: to y^{e} Provinciall Councill.

And ffor y^{t} you are ffallen into times of difficulties and Danger, (perhaps greater than some of you are aware of,) I Doe and Shall pray y^{e} Lord y^{e} God of all wisdome, that he would gratiously Enlighten your minds, and over rule your debates and Counsels, in and vnto Such wayes of truth, wisdome, quietness and agreement with his will, and one with another, as may Conduce with his glory, the Hon^{r} of Their Maj^{ts} our Most Gracious King & Queen, the Security of Their Province and territoryes, the Interest and Rejoyceing of the Proprietor's heart and worthy ffamily, and y^{e} Generall good, happiness and prosperity of y^{e} people of all perswasions now Committed to your Charge; and that he will alsoe Indow you wth Courage and resolution proportionable to y^{e} Trust and Station you are Sett in; that Impartiall Justice may run with a mighty Streame ffrom your administrations amongst them, to y^{e} terrour of Evil doers, and prayse of all others.

Gent., I begg your pardon of my Ignorances & weaknesses; (I call my doings so, for y^{t} I bless God I am not vnder any Conviction of haveing wickedly Departed ffrom y^{e} Rule of my Duty therein;) I mean your Charter and Laws, so ffarr as they have ffoundation in y^{e} King's Patent, and are not contrary to y^{e} Laws of England. I begg also yo^{r} acceptance of my vnfeigned thanks ffor what Respects you have shewed me in y^{e} advices and assistances you have Supplyed vnto me, as I doe also fforgive y^{e} Disrespects & neglects of any persons in this Government; and Lastly, I assure you that though I have not been acceptable to you as yo^{r} Gover^{r}, ffrom y^{e} very ffirst day you saw me, (wherof I was Early made Sensible,) I will indeavour to improve these faylors to the approveing myselfe a Pattern and instance of personate humble deference, Submission and Obedience to those who Succeed me in y^{e} Governm^{t} whilst I Remaine amongst you, which y^{e} vnfitness of y^{e} Season & Danger of my age and Constitution, to travell so long a jorney as to y^e place whence I Came, will probably Constrayn me vnto Some months.

Gent: I now both voluntarily and ffreely quit this Seat, to be ffild vp as by these two Commissions: (which I here deliver to you ffrom y^e Proprietor:) In order to your Consideration whereof I think it my Duty to give you his owne words Concerning them, which are these, viz:

[I have Sent two Commissions about Settling y^e Governm^t there in a condition that may please y^e Generallity. Let them be y^e Choosers, Either of Them shall satisfie me.] By which you See how much his heart is Sett vpon your agreeing one with an other, not offering violence by Imposeing vpon y^e Lesser number. He proposes that y^e Generallity be y^e Choosers, not y^e bare majorrity, and give me leave to tell you ffrom my owne Experience, 'twere yet better if you Could gaine y^e universality ffor what you shall pitch upon as things now stand, for 'tis Harmony must be your strength and Continuance, and a Small Complaint added to this Change of y^e Hands, will argue you to have Little regard to y^e Proprietor's present ill circumstances, and shake your whole ffoundation.

Here is also a Letter directed to you, w^{ch} I Received in my Paquet ffrom y^e Proprietor, and when I vnderstand you have so made your Election, and Settled y^e Deputation according to these Commissions, I shall ffurther address to you in what I shall conceive propper ffor your respective Cognizance relating to y^e Proprietor's Service, agreeable to what ffurther Instructions I have ffrom him. And if I may be any way Serviceable to him or you whilst I remaine in these parts, be pleased to honor me wth your Commands. In y^e meantime I take my leave of you, and pray y^e Lord be wth you.

The Gover^r Then with drew, and then was Read by y^e Secretary two Commissions ffrom William Penn, absolute Proprietary of y^e Province of Pennsilvania & Countys annexed, to y^e Provinciall Councill, w^{ch} are as ffolloweth verbatim, viz:

WILLIAM PENN, Absolute Proprietary of The Province of Pennsilvania & Countys annexed, To his Trusty beloved ffriends, The Provinciall Councill ffor y^e Province of Pennsylvania, &c., Greeting:

Since the Providence of God hath disappoynted my reall Intentious and Ernest Inclinations of Coming to you for some time longer, and to y^e End y^e Inhabitants thereof may be assured I have and Seek noe other Interest then what is agreeable with theirs, I doe Consent that you please yourselves, & therefore doe hereby Impower you to Chuse Three persons within y^e said Province or Countys annexed, to present to me by y^e very ffirst opportunity, out of w^{ch} I Shall Chuse one ffor my Deputy or Lieftenant Gover^r; and till my mind therein is Knowne, I Doe hereby order that he that has y^e most votes, or is ffirst Chosen by you, shall ffrom y^e time of yo^r Choice Act as my Deputy or Lieftenant Governor, over y^e said Province & Territorys, according to y^e Power and Limitation of fformer Commissions, you takeing Care to Support him in y^t Capacity, Revoking all fformer

Commissions to any Else granted, and Requiring all persons concerned to give him that Respect due to his high station. Given at London, ye 25th day of ye 7th Mo., 1689.

WM. PENN.

WILLIAM PENN, absolute Proprietary of The Province of Pennsilvania and Counties annexed, To his Trusty and Beloved ffriends, the Provinciall Councill ffor ye Province of Pennsilvania, &c., Greeting.

Since ye Providence of God hath disappoynted my reall intentions and Earnest inclinations of Coming to you for some time longer, and to the End ye Inhabitants thereof may be assured I have and Seek no other Interest then what is agreable to theirs, I have thought ffitt to appoynt you my Deputy and Lieftenant in Government, and do accordingly hereby Constitute you my Deputy, to act and doe in all things, in my name and Stead, according to ye power and Limitation of fformer Commissions. I Doe also Impower you to Elect ye President ffrom time to time, as you se Cause, so as he and you Exactly answer ye Charter and Laws of ye Country, Requiring all persons Concerned to give you ye Respect due to your high station, wch Commission shall Continue so long as I shall See Convenient. Given at London, this 25th of ye 7th month, 1689.

WM. PENN.

Then was Read a Lettr ffrom ye Proprietary, bearing date ye 12th of ye 6th Mo., 1689, wch follows verbatim:

ffriends, I heartily wish you all well, and beseech God to guide you in ye ways of Righteousness and peace. I have thought ffitt vpon my ffurther Stopp in these parts, to throw all into your hands, that you may all See the Confidence I have in you, and the desire I have to give you all possible Contentment. I Doe Earnestly press your Constant attendance vpon ye Governmt, and ye Diligent persuit of peace & Vertue, and God almighty Strengthen your hands in so good a work.

I also Recommend to you the perticular Discipine of That Towne you meet in, that sobriety & Gravitie be maintained, and Authority Kept in Respect. As it Coms in your way, Countenance my Officers in Collecting my Small Revenue.

Lett ye Laws you pass hold so long only as I shall not Declare my Dissent, that so my Share may not be Excluded, or I ffinally Concluded, without my notice: in ffine, lett them be Confirmable by me, as you will See by ye Commission I Left when I Left the Province.

And if you Desire a Depty Goverr rather, name Three, or ffive, and I shall name one of Them, so as you Consider of a Comfortable substance, that ye Governmt may not go a begging. I do not this to be a binding president; but to give you and ye people you represent the fullest pledges I an able at this Distance, of my regard to them. What Ever you do, I desire, beseech & Charge you all to avoyd ffactions and parties, Whisperings & reportings, and all animosities, that putting yor Common Shoulder to ye Publick work, you may have The

Reward of Good men & Patriots, and so I bid you heartily ffairewell.
Given at London, This 12th of ye 6th Mo., 1689.

W. PENN.

W. P. P. G.

To my Trusty and well beloved ffriends, ye Provinciall
Councill at Philadelphia, in Pennsilvania.

By Ed. Blackfan.

The members of Councill present being unwilling to Enter Immediately vpon debate wch of The two foregoing Commissions is most requisite should be put in Execution, did vnanimously agree at this time to Depart, and to meet againe to morrow, at nine in ye fforenoon.

At a Meeting of ye Members of Councill in ye Councill Roome, ye 2d 11 Mo., 1689–90.

PRESENT:

Tho. Lloyd,
Jon Symcock,
Jon Eckly,
Sam. Richards,
Barth. Coppock,
Jon Bristow,
Grif. Jones,
Wm. Clark,
Wm. Stockdale,
Sam. Carpenter,
Jon Hill,
Wm. Markham, Se.

It was Debated wch of ye Two Commissions that was Read yesterday should be put in Execution, and Resolved vnanimously, that ye Commission wch Impowred ye Councill to be Deputy Goverr or Leivetenant, to be accepted: accordingly, ye Councill Elected Thomas Lloyd President. It was put to ye vote whether the other Commission should be Canciled or not: Carried in ye affirmative, N. C. D., and was accordingly Canciled at ye board.

Then was Read this ffollowing Clause in a Letter from the Proprietary to his Commissioners of The same, viz:

Whereas, there is 600lb. due to me, wch has been neglected or refused to be paid, if ye Province will build me an house in the City ffor my reception, vpon my Lott, Leaveing me to make additions hereafter, if there be occasion, I hope to be there as soon as that is ffinished. I have sent Capt. Wm. Markham my model Or stock, ye Three Plantations of my Three Children, wth Each two Hundred pounds, wch Comes to ye sum, I shall take it well, and this may be sooner and safer done yn returning me yt sum, tho' here it would have done me most good.

The Petion of Thomas ffairman was Read, setting forth his greivance ffrom ye County Court of Philadelphia, in ye Case between him & Mary Jeffs, wherevpon it was ordered yt ye County Record be brought to ye Councill, to Exammine ye proceedings in that Case.

Adjorned to Nathll Ibel's house, ye season being very Cold.

The Secretary was Ordrd to acquaint Jon Blackwell, Esqr., ye Late Goverr, in writeing, of the Board's Readiness to Receive any thing ffrom him Communicative to them, and to wayt vpon him with it himselfe, wch was accordingly done, and it is as ffolloweth, viz:

Sir: The Councill has this morning vnanimously accepted of ye Commission Impowring ye Provinciall Councill to be Depty Goverr or Leiut, and have accordingly made Choyce of Thomas Lloyd to be president, and vnder that fforme, ye Provinciall Councill is Ready to Receive what you have to Communicate to them.

I am, Sr, your Humble servt,
WM. MARKHAM.

Wherevpon ye Said Blackwell, late Goverr, attended wth ye Secretary, Came to ye Councill, and after Congratulation, presented them with Instructions ffrom ye Proprietary, and an abstract of Severall Instructions ffrom ye Proprietary to himselfe in private Letters; both wch are here at large sett downe, verbatim:

Instructions ffor Lt Governor Blackwell, or whome else it may Concerne.

First: that things be transacted in my Name, viz: Absolute Proprietary of Pennsilvania, (provided it agrees with our Charter and Laws, as I think it dos,) &c.

2. That all Commissions Signed by me and sealed here with ye Lesser Seal, be taken ffor Sufficient warrts & Directions ffor passing them vnder ye broad seal, without any other Instrument of Authority.

3. Thirdly: to Collect ye Laws that are in Being, and send them over to me in a stitcht book, by ye very ffirst opportunity, which I have so often, and so much in vaine, desired.

4. To be Carefull that Speedy, as well as through and Impartiall Justice, be done; Virtue in all Cherished, & vice in all punisht.

5. That ffines be in proportion both of ye ffault and ability of ye party, yt so they may be paid.

6. That ffewds between perswasions or Nations, or Counties, be Suppressed & Extinguished, if any be, & if none, that by a good Conduct they may be prevented.

7. That ye Widdows, Orphans, and Absent, may be perticularly Regarded in their Right, ffor their Cry will be Loudest in all Eares; but by Absent I mean Such as are so by Necessity.

8. To Countenance ye Commrs of Propriety, where land is vnseated, or people are vnruly in their settlements, or Comply not wth reasonable Obligations about bounds, banks Timber, &c. ffor tho' wee Came to a wilderness, it was not that wee should Continue it so.

9. That ye Sheriffs of ye Respective Counties be Charged wth The Receipt of my rents, ffines, &c., as they doe in England, & give Security to ye Receiver Generall ffor ye same.

10. To have a Speciall Care that Sheriffs & Clarks of ye peace Impose not vpon ye people, and that ye magistrates live peaceably & soberly, ffor I would not Endure one loose or litigious person in Authority; Lett them be men haveing some ffear of God, and hateing covetousness, whatever be their persuasions: to Employ others is to prophane an Ordinance of God.

11. That Care be taken of ye Roads and Highways in ye Country,

that they may be streight & Commodious ffor Travellers; ffor I vnderstand they are turned about by ye planters, wch is a mischief yt must not be endured.

12. Rule ye meek meekly, and those that will not so be Ruled rule wth Authority; And God Almighty prosper all honest and prudent Endeavours.

Lastly: Consider by what means or methods ye Good and prosperity of ye Plantation may be promoted, and what Laws in being are vnnecessary or Defective, and what are wanting, and in Each particular hereoff, Lett me have advice as Distinctly and as speedily as may be.

Given at London, ye 25th day of ye 7th Mo., 1689, was signed

WM. PENN.

An Abstract of Severall Instructions Recomended to me by ye Proprietor, Directed with Relation to ye Governmt whilst I was Goverr, Lt. Goverr & Deputy Goverr of this Province of Pennsilvania.

[In his Lettr 11 2 m., 1689.]

There is a Cause of ye widdow Jeffs, in which I have been prest: I Doe desire yt shee may have justice Showne her, and as much mercy & Kindness as can be with justice to those Concerned with her.

Also that ye Concerns of Henry Patrick may not be lost, Richd Noble was Intrusted.

[in his Lett. 11 6 mo. 1689.]

Countenance ye Interest of Widdow Whitpaine and her husband's Creditors, all that is possible in justice; the Honor of ye Province is Concerned in it.

[in his Lett. 25 7 mo., 1689.]

I must Recommend to ye Governmt ye Care of ye widdo Jeffs & Whitpaine, in which, believe me, ye Honour of ye Province is Deeply Concerned, Especially ye Latter, because of her husband's Creditors, whose Expectations are much ffor you there.

Samll Hersent left a Child there that was at my Charge, but I think ought to be mantayned by ye Community. It is ye Grandmother's desire he should be sent over by the ffirst Opportunity yt is safe, as if There Come a fleet with a Convoy ffrom Virginia or New York.

I would be as Little Rigorous as possible; And doe desire thee, by all ye Obligation I and my present Circumstances can have vpon thee, to Desist yr prosecution of T. L. I intirely Know ye person both in his Weakness and Accomplishment, and would thee End ye Dispute between you two, vpon my Single Request & Command, and that fformer inconveniences be Rather mended then punished.

P. S. Salute me to ye people in Genell: pray send for J. Simcock, A. Cock, Jno Eckle & Samll Carpenter, and Lett them Dispose T. L. & Sa. Richardson to that Complying temper that may tend to that loving & serious accord yt becomes such a Governmt: vale.

Exr. p. me,

JOHN BLACKWELL.

2d 11, 1689.

Ordered yt ye Secretary Deliver to ye Keeper vpon his Demand, ye Commission this day accepted off by Pll Councill, Impowring them to be Deputy Goverr or Leiut, in order to ye Keeper's passing it vnder ye broad seale.

The Secretary Read a paragraph of a Letter ffrom ye Proprietary to him, bearing date ye 13 2d Mo., 1689, viz:

Pray represent to ye Deputy Goverr & Provinciall Councill, the Invasion and oppression of those that Except against any man being Chosen a member of Councill or Assembly that is in my service, though it appear yt they are otherwise good and Honest men: is there not ye same Reason to refuse them their votes that Choose their Landlords, Customers, masters or Relations, ffor ye Reason is rather Stronger: is my Interest already rendered so opposite to ye Country's, and I and those Imployed by me, become such ill men yt it is Impossible they Can serve ye Country and me together? I Could say much against ye Impolicy & Impiety of Such Suggestions; only make a stand & protest against all Such things.

The Records of ye County Court of Philadelphia being brought to this board, and ye Case between Mary Jeffs and Thomas ffairman being thorowly Exammined by ye Provll Councill, Did Resolve and Order:

That ye Appeale obteined (vpon a judgmt by Thomas ffairman, at a County Court or Quarter Sessions held the ffirst day of ye ffirst month, 1688-9,) Doe Continue till it be Determined by ye next Provinll Court; and that what goods so ever have been taken in Execution vpon the aforesaid Judgment, or any subsequent Order of ye said Court since in yt behalfe, yt ye sheriff, or such officers who have been Imployed vnder him, be required fforthwith to make Restitution of ye same, as They shall Answer ye Contrary at their perrill.

Adjorned ffor an Hour.

POST MERIDIEM.

Present as before.

The Petition of Kathe. Thomas was Read, Requesting Lycen. to Keep an Ordinary; wch was granted, provided shee procure Sufficient Cirtificate of her good behaviour.

Ordered that a Blank Commission be Drawne ffor Provll Judges.

Ordered that Commissions of ye Peace be made for all ye Counties, and these persons ffollowing to be Inserted, (viz:)

PHILAD. CO.

Tho. Lloyd,
Jon Eckly,
Rt Turner,
Wm. Salway,
Bar. Wilcox,
ffra. Rawles,
Law. Cock,
Jon Holme.

BUCKS CO.

Arth. Cook,
Jos. Growdon,
Wm. Yardly,
Tho. Janney,
Wm. Byles,
Nich. Newlin,
Jon Brock,
Hen. Baker.

CHESTER CO.

Jo^{n} Bristow,
Jo^{n} Beaven,
Jo^{n} Blunston,
Nich. Newlin,
ffran. Harrison,
Sam^{ll} Levis,
Jam. Sanderling,
Wm. Howell,
Jos. ffearne.

NEW CASTLE CO.

Pet. Alrichs,
Jo^{n} Cann,
Wm. Stockdale,
Ed. Blake,
Cor. Empson,
Joha. D'Haes,
Pet. Banton,
Ch. Rumsey,
R^{t} Ashton,
Jo^{n} Hayly.

KENT CO.

Wm. Clark,
Jo^{n} Brinkloe,
Geo. Martin,
Jo^{n} Curtis,
Dan. Jones,
Jo^{n} Walker,
Mark. Manloe,
Wm. Lawrence,
Wm. ffreeland,
Jam. Brookes,
Wm. Manlow.

SUSSEX CO.

Wm. Clark,
Tho. Wynn,
Luke Watson,
Jo^{n} Hill,
Tho. Price,
Sam. Preston,
R^{t} Clifton,
Sam^{ll} Gray.

Adjorned till Tenn To-morrow morning.

At a meeting of y^{e} Councill in Philadelphia the 3^{d} 11 Mo., 1689–90.

PRESENT:

THOMAS LLOYD, Presid^{t}.
Jo^{n} Eckly,
Sam. Carpenter,
Sam. Richardson,
Wm. Stockdale,
Barth. Coppock,
Wm. Clark,
Griff. Jones,
Jo^{n} Symcock,
Jo^{n} Hill,
Wm. Markham,
Jo^{n} Bristow.

The Petition of Wm. Hill, who with his wife were prisoners in y^{e} County of Kent, with severall other papers Relateing to their Cause, were Read, Complayning against the seveare vsage of that Court; and with all a Coppy of y^{e} proceedings of y^{e} Court against them, was Read. All w^{ch} being thorowly Exammined and Debated, it was Resolved & Ordered,

That a warr^{t} be made and sent Downe fore their Speedy Release.

Adjorned till 9 to morrow forenoon.

At a Meeting of y^{e} Councill in Philadelphia The 4th 11th Mo., 1689–90.

PRESENT:

THO. LLOYD, P^{t}.
Jo^{n} Symcock,
Sam. Richardson,
Jo^{n} Bristow,
Jo^{n} Hill,
Griff. Jones,
Wm. Clark,
Wm. Markham, Sec^{ry}.

Vppon Debate whether y^e^ Keeper of y^e^ Broad Seale might sitt Ex-officio in any County Court within this Governm^t^ as a member thereoff, They were vnanimously in y^e^ Opinion he might.

Ordered that a Publick Instrument be drawne according to y^e^ Proprietary's Instructions, to Suppress all sort of vice.

Ordered that Commissions be Drawne ffor y^e^ Sheriffs to Continue their Offices vntill y^e^ Riseing of y^e^ next provinciall Legislative Councill, or till ffurther order. Jo^n^ Claypoole Except^d^.

Adjourned till y^e^ 6^th^ Ins^t^. 2 in y^e^ afternoon.

At a meeting of y^e^ Councill in y^e^ Councill Roome at Philadelphia y^e^ 7^th^ of y^e^ 11 Mo., 1689–90.

PRESENT:

THOMAS LLOYD, P^t^.

Jo^n^ Symcock,	Wm. Clark,	Jo^n^ Hill,
Jo^n^ Eckly,	Jo^n^ Bristow,	Wm. Markham, Sec^ry^.
Sam Richardson,	Sam. Carpenter,	

After y^e^ Commissions and orders that were ordered to be were signed by y^e^ President, and a Lycence granted ffor Jere Scott to keep an ordinary in Sussex County, The Councill adjorned till ffurther Order, to be Called againe by y^e^ presid^t^, or in his absence by any ffour members of this Place.

At a meeting of y^e^ Legislative Councill The Thirty-ffirst day of y^e^ ffirst month, in the Councill Roome at Philadelphia, 1690.

PRESENT:

THOMAS LLOYD, Presid^t^.

John Symcock,	Jo^n^ Curtis,	Grif. Jone,
Wm. Clark,	Luke Watson,	Bar. Coppock,
Sam Richardson,	Wm. Yardly,	Wm. Markham, Sec^ry^.
Wm. Stockdale,		

The Returne of y^e^ County of Bucks was Read, wherein was Returned Arth. Cook to serve in Provinciall Councill ffor three years; Jos. Growdon, Henry Poynter, Rich^d^ Hough, Henry Baker, Edm^d^ Bennet, Jo^n^ Cook, to Serve in Assembly ffor y^e^ Ensuing year.

Arther Cook Signed y^e^ vsuall obligation and took his place at y^e^ Board.

The Returne of y^e^ County of Philadelphia was Read, wherein was Returned Griff. Owen to serve for Three years in Provinciall Councill; & Thomas Duckett to serve in Provinciall Councill ffor y^e^ Remaining time that John Eckly Deceased, was to have served: and ffor Assembly, Wm. Salway, Humph. Murry, Thomas ffitzwater, Charles Pickerin, Paul Sanders, Abraham Opdegrave.

Griff. Owen & Tho. Duckett Signed y^{e} vsuall obligation & took their places at y^{e} board.

The Returne of Kent County was Read, wherein was Returned Jo^{n} Brinkloe to serve in Prov^{ll} Councill for Three Years; and John Barnes, Jo. Betts, Dan^{ll} Browne, Ezech. Needham, Rich^{d} Curtis, & Wm. ffreeland, to serve in Assembly ffor y^{e} Ensuing Year.

Jo^{n} Brinkloe signed y^{e} vsuall Obligation and took his place at y^{e} board.

The ffollowing Declaration was ordered to be Incerted, in order to the Provinciall Councill's Members signing it the same.

Wee Doe hereby ffreely acknowledg Allegiance to y^{e} King & Queen, and Declare & Promise ffidelity and Lawfull Obedience to Wm. Penn, Sonn and Heir of S^{r} Wm. Penn Deceased, and his heirs and Assigns, as Rightfull Proprietary and Governour of y^{e} Same, according to the King's Letter Pattents and Deeds of Grant and ffeofment ffrom James, Duke of York and Albany, &c., and that Wee will never Act or Doe by word or Deed, Directly nor Indirectly, any thing, nor Consent to nor Conceale any person or thing whatsoever, to the Breach of This Solemn Engagement: In Wittness of which, Wee have herevnto sett Our hands, Dated In Councill At Philadelphia, the Thirty-ffirst day of y^{e} ffirst Mo. 1690.

THO. LLOYD, p^{r}siden^{t}.

John Symcock,
Samuell Richardson,
John Curtis,
Griffith Jones,
Griffith Owen,
John Brinkloe,
Will. Yardley,
Wm. Stockdale,
Luke Wattson,

J. d'haes,
John Blumston,
Wm. Clark,
Arthur Cooke,
Thomas Duckett,
Bartholomew Coppock,
Tho. Clifton,
Jn^{o} Cann,
Wm. Markham, Sec^{ry}.

The Proprietary's Commission to y^{e} Prov^{ll} Councill, Constituting them Dep^{ty} Gover^{r}, was Read at the board.

Thomas Lloyd was vnanimously Continued Presid^{t}, and to hold the same during this Legislative Councill, and vntill they shall see occasion to alter.

The orders to be observed by y^{e} Councillors in Councill was Read:

Adjorned till 4 in y^{e} afternoon.

IN Y^{e} AFTERNOON.

PRESENT:

THO. LLOYD, P^{t}.

John Symcock,
Wm. Clark,
Sam^{ll} Richardson,
Wm. Yardly,

Wm. Stockdale,
Jo^{n} Curtis,
Luke Watson,
Griff. Jones,

Barth. Coppock,
Johanes D'Haes,
Wm. Markham, Sec^{ry}.

The Returne of ye County of Sussex was Read, wherein was Returned Thomas Clifton to serve in Provinciall Councill ffor Three years; And John Hill, Robt Clifton, Samll Gray, Henry Smith, Babtist New-Come, and Thom. Branscome, to serve in Assembly ffor ye Ensuing year.

Presidt. Lloyd informing ye board that he had Received a letter ffrom a very Credible person, a justice of ye peace in Sussex County, wch gave an accot of the Deboachery of sd Clifton, and in particular, yt ye Clifton in his Discourse, should vse this Expression: that he was not ffor Yea and Nay, but for God Damm You; ye wch words ye said Clifton Denying, ye board Debated ye matter, but haveing only paper Evidence, Resolved that He be admitted at present, but vpon ffurther proof made of ye ffact, Immediately dismissed; and he was admitted accordingly.

The Returne of New Castle County was Read, wherein was returned John Cann to Serve three years in Proll Councill; and Edward Blake, Henry Williams, Richd Hollwell, John Darby, Wm. Graunt, Jon Donalson, to serve in Assembly.

John Cann signed ye vsual obligation and took his place at ye board.

Adjord till To-morrow, Eight in ye fforenoon.

Att a meeting of ye Councill in Philadelphia ye ffirst of ye Second Mo., 1690.

PRESENT:

THO. LLOYD, Pt.

Arthr Cook,
Samll Richardson,
Tho. Duckett,
Wm. Yardly,
Jon Symcock,
Wm. Stockdale,
Griff. Owen,
Barth. Coppock,
Wm. Clark,
Griff. Jones,
Jon Brinkloe,
Jon Cann,
Johanes D'Haes,
Luke Watson,
Thomas Clifton,
Jon Curtis,
Wm. Markham, Secry.

Vpon Debate of ye various methods hetherto have been vsed in Choosing or Electing Representatives, it was Resolved and ordered, that Each County shall hence fforward Elect or give their Suffrages according to Charter, viz: by ye ballat.

Adjorn'd till 3 in ye afternoon.

IN Ye AFTERNOON.

Present as in ye fforenoon.

The members of ye 3 Lower Counties move this board, that ye next Genell Assembly, to be held ye next Third month, may be at ye Towne of New Castle, or at Some other place of ye Lower Counties.

The board went vpon prepareing Severall bills ffor promulgation, Then

adjorned till 8 to morrow morning.

Att a meeting of y^{e} Councill in Philadelphia The second day of y^{e} second month, 1690.

PRESENT:

THOMAS LLOYD, P.

Wm. Clark,
Jo^{n} Cann,
Luke Watson,
Johanes D'Haes,
Wm. Stockdale,
Jo^{n} Brinkloe,
Griff. Jones,
Jo^{n} Curtis,
Jo^{n} Symcock,
Sam^{ll} Richardson,
Griff. Owen,
Wm. Yardly,
Barth. Coppock,
Tho. Duckett,
Tho. Clifton,
Arth. Cook,
Wm. Markham, Sec^{ry}.

The Returne of Chester County was Read, wherein was Returned John Blunston to Serve Three Years in Provinciall Councill; And John Bristow Wm. Jenkins, Rob^{t} Pyle, Joshua ffearne, George Maris, Caleb Pusey, to Serve in y^{e} Assembly ffor y^{e} Ensuing Year.

Arthur Cook, Wm. Clark & Jos. Growdon, were vnanimously Chosen to be Provinciall Judges ffor the next Provinciall Court, and Ordered that a Comission be Drawn Accordingly.

The motion made Yesterday by y^{e} members of y^{e} Lower Counties was Renewed, wherevpon y^{e} Representatives of y^{e} Province gave way that y^{e} next Gene^{ll} Assembly should be held at New Castle, and that it might be putt to y^{e} vote that y^{e} order of y^{e} board might be had for y^{e} same: Which was accordingly don, and Carried in y^{e} affirmative; and ordered that the secretary give notice thereof to y^{e} Respective Counties.

The Petition of Thomas Harris was Read, Complayning against y^{e} County Court of New Castle in a Cause between Olliver Perry of New England, and himselfe. Referd to y^{e} next sitting of y^{e} Councill.

Adjorned till Eight To-morrow morning.

At a meeting of The Councill in Philadelphia y^{e} 3^{d} of y^{e} 2^{d} Mo., 1690.

PRESENT:

THOMAS LLOYD, Presid^{t}.

Wm. Clark,
Jo^{n} Cann,
Luke Watson,
Wm. Stockdale,
Jo^{n} Brinkloe,
Griff. Jones,
Jo^{n} Curtis,
Jo^{n} Symcock,
Sam^{ll} Richardson,
Griff. Owen,
Wm. Yardly,
Barth. Coppock,
Tho. Duckett,
Tho. Clifton,
Arth. Cook,
Wm. Markham, Sec^{ry}.

The whole board Resolved into a Committee for preparing of bills to promulgate.

Adjorned till Eight to-morrow morning.

At a meeting of The Councill at Philadelphia ye 4th of ye 2d Mo., 1690.

PRESENT:

THOMAS LLOYD, Presidt.

Jon Symcock,
Sam. Richardson,
Griff. Owen,
Wm. Clark,
Luke Watson,
Griff. Jones,
Wm. Stockdale,
Jon Cann,
Wm. Yardly,
Jon Brinkloe,
Barth. Coppock,
Tho. Duckett,
Arth. Cook,
Jon Curtis,
Tho. Clifton,

The whole board Resolved into a Committee ffor preparing of bills to promulgate.

Adjorned till 3 afternoon.

AFTERNOON:

PRESENT:

THOMAS LLOYD, Pt.

Wm. Clark,
Jon Cann,
Jon Curtis,
Luke Watson,
Grif. Owen,
Jon Brinkloe,
Grif. Jones,
Wm. Yardly,
Samll Richardson,
Barth. Coppock,
Wm. Stockdale,
Arth. Cook,
Tho. Duckett,
Jon Symcock,
Tho. Clifton,
Wm. Markham, Secry.

In was Ordered by ye board That ye Stile of The Authoryty should be as was those Laws past at Philadelphia The Thirty-ffirst day of ye ffirst month, 1685, viz: The Gouernour and ffreemen in Provinciall Councill mett, &c.

1 bill. The bill ffor Continuance of fformer Laws was Read, and past N. C. D.

2. The bill ffor ye Repealing Severall Laws was Read, and past N. C. D.

3. The bill of Repeale of Parts of Severall Laws, Read & past N. C. D.

4. The bill for punishing persons Summons'd to give their Evidence and doth not appear, past N. C. D.

5. The bill ffor ye Rates of fferrys Read: past in ye affirmative.

6. The bill ffor an Addition to ye 15 Law, prohibitting Rum to be sold to ye Indians, was Read: past in ye affirmative.

7. The bill about Wages ffor ye members of Councill and Assembly was Read & past N. C. D.

8. The bill to Constitute Provinciall Judges Read & Past N. C. D. adjord till To morrow, 9 in ye fforenoon.

At yᵉ meeting of Councill the 5 day of yᵉ second month, 1690.

PRESENT:

THOMAS LLOYD, Presidᵗ.

Wm. Clark,
Samˡˡ Richardson,
Joⁿ Cann,
Luke Watson,
John Brinkloe,
Arth. Cook,
Wm. Stockdale,
Joⁿ Symcock,
Barth. Coppock,
Grif. Owen,
Tho. Clifton,
Grif. Jones,
Tho. Duckett,
Wm. Markham.

9 bill. The bill about the Dyke at New Castle was Read and past N. C. D.

10. The bill about Rangers was Read & past N. C. D.

The bills that were Read yesterday and to day were againe Read, and past as before.

Adjorᵈ till 3 in yᵉ afternoon.

IN Yᵉ AFTERNOON.

PRESENT:

THOMAS LLOYD, Presidᵗ.

Wm. Clark,
Samˡˡ Richardson,
John Symcock,
Grif. Jones,
Joⁿ Brinkloe,
Joⁿ Curtis,
Barth. Coppock,
Tho. Clifton,
Wm. Yardly,
Luke Watson,
Wm. Stockdale,
Joⁿ Cann,
Tho. Duckett,
Arth. Cook,
Grif. Owen,
Wm. Markham, Secʳʸ.

11 bill. The bill for Custome vpon Rum, &c., was Read, and past in yᵉ affirmative.

12. The bill ffor Customes vpon Deer Skinns was Read, & past in yᵉ affirmative.

13. The bill about mercinary pleadings in Courts was Read: past in yᵉ affirmative.

The Petition of John White was Read, as here verbatim is sett downe, (viz:)

To the Presidᵗ and Provinciall Councill of the Province of Pennsilvania and Territorys:

The Petition of John White Humbly sheweth, That your Petʳ being Contrary to Law hindred of yᵉ proffitt and Exercise of yᵉ office of Clark of yᵉ sessions for yᵉ towne and County of New Castle, to which your petitioner hath Lawfull Claim, He humbly beggs yᵉ beneffitt of being heard & Relieved, according to Law; & yoʳ Petiʳ, as in Duty bound, shall pray, &c.

JOHN WHITE.

The Petition of John White being debated severall times, at Last, in a Legislative Councill, yᵉ Issue was Resolved by their answer to the ffollowing Question:

Whether Commission granted by Wm. Penn to John White, ffor yᵉ office of yᵉ Clark of yᵉ peace ffor yᵉ County of New Castle, being to him as long as well behave himselfe, doth not Continue in fforce vntill he shall be Convicted by Due Course of Law, which is by his peers: It was Carried in y^{e} affirmative.

Griff. Jones Alligeing that he had had his tryall before Gover^{r} Blackwell and Councill at New Castle, and was Turned out ffor a Misdemeanor in his Office, and therefore Desired his Dissent might be Entred.

The Petition of Sam^{ll} Carpenter was Read, requesting a bill might be prepared ffor preventing hoggs to goe at Large in townes.

Ord^{ed}, That a bill be Drawne ffor y^{e} same, to mention only y^{e} Townes of Philadelphia & New Castle.

adjor^{d} tenn in y^{e} fforenoon, y^{e} 7th Ins^{t}.

At y^{e} meeting of the Councill in the Councill Room in Philadelphia y^{e} 7th of y^{e} second month, 1690.

PRESENT:

THO. LLOYD, Presid^{t}.

Jo^{n} Symcock,
Griff. Owen,
Jo^{n} Curtis,
Wm. Yardly,
Luke Watson,
Jo^{n} Cann,
Tho. Clifton,
Wm. Clark,
Arth. Cook,
Sam^{ll} Richardson,
Tho. Duckett,
Wm. Stockdale,
Grif. Jones,
Wm. Markham, Sec^{ry}.

The whole board Resolved into a Committee to prepare some bills ffor promulgation.

Adjo^{d} till y^{e} afternoon.

In y^{e} afternoon: psent as in y^{e} fforenoon.

The Secretary's memoriall was Read, which ffollows, verbatim:

PHILADELPHIA, y^{e} 7th of The second Mo., 1690.

To the Provinciall Councill now sitting:

The memoriall of Wm. Markham, Sec^{ry}, Humbly offered to yo^{r} Considerations:

1th. That the Proprietary hath often times sett fforth vnto you y^{e} great and almost incredible Expences he hath been at in Support of y^{e} Governm^{t}, whereby he hath much Impared his Estate, and thereby wronged his ffamily, by maintaining y^{e} publick wth what belongs vnto them.

2^{ly}. Whereas, there hath been severall acts made and Impositions layd vpon goods Exported and Imported under a pretence to Raise money ffor y^{e} Proprietary, towards the Support of his Governm^{t}, whereby many who are very willing to Support y^{e} necessary Charge thereof are possessed that the Proprietary hath great sums of money given him ffor y^{e} Defraying y^{e} Same; which mistake hath, and I ffear will be more prejuditiall, not only to y^{e} Proprietary, but to his whole

Governmt, ffor I humbly Conceive this board is sensable that it hath not only not brought in one ffarthing, but Incouraged him still ffurther to Launch out his Estate in Expectation of it, to ye vse of The Publick; and not only that, but in ye opinion of your humble Remembrancer, like to Drive the trade ffrom this Province vnto our neighboring Colloney, wch if once don, will be Difficult to Recover.

3ly. The Proprietary hath often Recommended to this board that some Course by taken ffor ye payment of the Subscriptions, wch was in Lieu of an act or Imposition on Rum, &c.; but nothing hath been Effected therein.

4ly. I Humbly offer to yor Considerations the Proprietary's words in his Lettr to his Commissioners, bearing date ye 14th of ye 2d Mo., 1689, (viz:) Whereas there is 600lb. due to me, which has been Neglected or Refused to be paid, If the Province will build me a house in the City ffor my Reception, vpon my Lott, leaveing me to make additions hereafter, if there be occasion, I hope to be there as Soon as that is ffinished: I have sent Capt. Markham my modell: Or stock the three plantations of my Three Children, Each 200l. Comes to the Summ, I shall take it well, and this may be sooner and safer don than Returning me that sum, tho' here it would have done me more good.

5. I ffurther humbly offer to yor Considerations what ye Proprietary was pleased to write to me, in his Letter bearing date ye 13 2d Mo., 1689, (viz:) I send to seat my Children's Plantation that I gave them near Pennsberry, by Edwd Blackfan. Either Lett them settle me 3 Plantations for my Three Children, 200lb. Each, which make vp ye 600l.; or Lay it out in a City house ffor me, yt I may be Encouraged to live among them, tho' it would now doe me more good here.

Lastly. The Sum Expected aforesaid as a Debt due to ye Proprietary, and ought Immediately to be paid, is a Certaine Sum, viz: 600l. which Cannot be Raized but a Tax, or some other Course, as may be Certaine in some Short Time to amount vnto ye ffull Sum, Clear of all Charges, and not by Importations or on Navigation, wch are vncertaine.

WM. MARKHAM, Secry.

14 bill, About Two Credible Evidences, was Read, and past in ye affirmative.

15. The bill about Registry in any Religious Socyety was Read, & past N. C. D.

16. The bill about Hoggs going at Large in ye Towns of Philadelphia and New Castle was Read, & past N. C. D.

Adjord till 9 To-morrow fforenoon.

At a Councill in the Councill Room at Philadelphia the Eighth of y^{e} second month, 1690.

PRESENT:

THO. LLOYD, Presid^{t}.

John Symcock,
Arth. Cook,
Sam^{ll} Richardson,
Tho. Duckett,
Tho. Clifton,
Wm. Clark,
Wm. Yardly,
Grif. Owen,
Luke Watson,
John Curtis,
Griff. Jones,
Wm. Markham, Sec.

The Petion of John White, w^{ch} was Read the 5th Ins^{t}, was Reassumed, wherevpon this ffollowing Recommenditary ord^{r} was ordered by y^{e} board, (viz:)

To Our ffellow members of The Provinciall Councill, and to our ffriends the Justices ffor the Towne and County of New Castle:

John White, of The said County, haveing made his application vnto vs ffor Relief against the Continued suspension of him ffrom the Exercise and proffitts of y^{e} Office of The Clark of y^{e} peace for y^{e} County afforesaid, Wee haveing with due Regard to fformer procedures, & great circumspection, inspecting into and Considering his Complaint, have in a ffull Councill, after severall previous and deliberate debates, Resolved that y^{e} Commission granted by Gover^{r} Penn vnto y^{e} s^{d} John White, ffor y^{e} office of Clark of y^{e} peace ffor y^{e} County of New Castle, doth notwithstanding y^{e} Late Suspention, Continue in fforce, and abides vntill he shall be Convicted by Due course of Law; and wee ffurther observing that y^{e} said Office Cannot be well Executed by y^{e} Person Commissionated by Cap^{t} Blackwell, our late Gover^{r}, because of The officers power therein with y^{e} said Gover^{rs} Station in y^{e} Governm^{t}, Wee doe therefore Recommend the said John White herewith vnto your notice, and ffriendly admission of him in y^{e} Reinvestiture of his Clark's office, and into y^{e} Exercise of y^{e} same with you; And as wee have strictly Enjoyned him, and shall Require y^{e} same ffrom him, wee do not much doubt but he will deport himselfe obligingly, & with Respect & ffaithfulness vnto you.

THO. LLOYD, Presid^{t}.

[Given by y^{e} Prov^{ll} Councill y^{e} 8 of y^{e} 2^{d} mo., 1690, at Philadelphia.]

The Petition of Thomas Harris, Requesting Relief ffrom y^{e} Judgments given against him in the County Court of New Castle County, both in Law and Equity.

Resolved he should have an order ffor a hearing in The next Prov^{ll} Court, w^{ch} will be in y^{e} next seventh month, provided y^{e} matter of Complaint be not Determined by y^{e} Consent of both parties, at y^{e} Councill at New Castle, and in y^{e} meantime, notice to be given to John Cann that he part not with any of y^{e} Effects he hath in his hands of Oliver Perry's, or his owners, vntill y^{e} Determination of the Difference as aforesaid.

adjor^{d} till 3 in y^{e} afternoon.

AFTERNOON.

PRESENT:

THO. LLOYD, P^t.

Tho. Duckett,
Jo^n Curtis,
Luke Watson,
Griff. Jones,
Sam^{ll} Richardson,
Griff. Owen,
Wm. Yardly,
Wm. Clark,
Jo^n Symcock.
Tho. Clifton,
Wm. Markham, Sec^{ry}.

Vppon debate of y^e neglect of y^e Survey^r Gen^{lls} office and his Extraordinary ffees, Resolved & Ord^{ed} that y^e Survey^r Gene^{lls} Deputy be sent ffor to attend this board, and that Thomas Duckett be desired to take y^e Care of sending ffor him.

The Petition of Benj. Chambers, Tho. Peart and ffrancis Rawle, was Read, Requesting ffor themselves and others, that a bridg might be built over, and a wharfe made against Mulberry street. Resolved that when y^e Petitioners shall bring in their proposalls, they shall have a hearing.

Adjor^d till To-morrow 9 fforenoon.

At a meeting of The Councill in y^e Councill Roome in Philadelphia y^e 9th day of y^e 2^d Mo., 1690.

PRESENT:

THOMAS LLOYD, Presid^t.

John Symcock,
Wm. Clark,
Arthur Cook,
Griff. Owen,
Tho. Duckett,
Wm. Yardly,
Luke Watson,
Jo^n Curtis,
Sam Richardson,
Wm. Markham, Sec^{ry}.

Benj. Chambers & ffrancis Rawle, according to the answer to their petition yesterday, brought in their methods, (viz:) Mulberry Street being not less the Sixty ffoot in breadth in y^e midest of The same, and about twenty perches back ffrom y^e River, wee Intend to Cutt out a Cart Road of twenty ffoot in breadth, ffrom thence to Extend with a graduall Dessent to Low water mark, and to have y^e said passage paved and walled vp with stones on both sides, and to have a bridg over y^e said passage, in y^e midst of y^e ffront Street, and that part w^{ch} Remaines vncovered to be ffenced with Railes; and at y^e River End of The said passage, to make a ffree and publick wharfe of Twenty ffoot in breadth on Each side thereoff: Whereunto y^e Councill did assent.

Ordered that a Warr^t be made to Impowre Each County, by Their Respective magistrates and Grand Jury, to Divide their respective Counties into hundreds, or such other Division as they shall think most Convenient ffor their Ease in Collecting y^e Levies ffor the Defraying y^e Charge of y^e Counties.

adjor^d till 3 in y^e afternoon.

AFFTERNOON.

PRESENT:

THO. LLOYD, Presid^{t}.

John Symcock,
Griff. Jones,
Arth. Cook,
am^{ll} Richardson,
Wm. Clark,
John Curtis,
Wm. Yardly,
Griff. Owen,
Tho. Duckett,
Luke Watson,
Tho. Clifton,
Wm. Markham, Sec^{ry}.

The Petition of Ann Young in the behalfe of y^{e} halfe of herselfe and her husband, Jacob Young, against Edw^{d} Gibbs, High sherriff of New Castle County, about a seasure made by y^{e} s^{d} Gibbs, y^{e} Sheriff, on y^{e} Goods and Chatteles of y^{e} said Young, in a Case between y^{e} said Sheriff and Young, in which Case y^{e} said Young had judgment past against him by Default, not Knowing y^{e} Time he should Appeare.

Ordered that y^{e} said Ann Young and her husband, have an appeal granted them to y^{e} Provinciall Court after y^{e} next; provided they give Sufficient security ffor the Estate seized, and ffor standing and abideing by y^{e} Judgment of y^{e} Provinc^{ll} Court.

adjor^{d} till 10 to-morrow fforenoon.

At a meeting of the Councill in the Councill Room in Philadelphia The 10 of y^{e} 2^{d} Mo., 1690.

PRESENT:

THO. LLOYD, Presid^{t}.

Jo Symcock,
Arth. Cook,
Griff. Owen,
Wm. Clark,
Wm. Yardly,
Jo^{n} Curtis,
Sa. Richardson,
Tho. Duckett,
Grif. Jones,
Tho. Clifton,
Luke Watson,
Wm. Markham, Sec^{ry}.

17 bill. The bill ffor Regulating the Survey^{rs} ffees Read, and pas^{t} in y^{e} affirmative.

John Blunston, a member of Councill ffor y^{e} County of Chester, haveing absented y^{e} service thereof sometime, and y^{e} board being informed by y^{e} other members of The said County, that y^{e} said Blunston at his Election was much ag^{t} his being Elected, & still Continues very vneasy and much Indisposed to serve, Ordered the secretary write to him to have his Resolution therein.

adjor^{d} till 2 in y^{e} affternoon.

In y^{e} afternoon. Present as in y^{e} fforenoon.

The Commission for the Provinciall Judges, viz: Arth. Cook, Wm. Clark & Joseph Growdon, was this day signed by y^{e} Presid^{t}, bearing date y^{e} 1^{o} Ins^{t}. to Continue only ffor this present Court.

Joseph Taylor presented y^{e} Councill with a writing wherein he informed the board y^{t} he made Choyce of Arth. Cook to be his Guardian, & Desired it might be Entred on y^{e} minutes accordingly.

adj. till To-morrow, 9 fforenoon.

At a meeting of the Councill in y^{e} Councill room in Philadelphia The 11 of y^{e} 2^{d} Mo., 1690.

PRESENT:

THO. LLOYD, Presid^{t}.

Wm. Clark,
Jo^{n} Symcock,
Sam^{ll} Richardson,
Tho. Duckett,
Wm. Yardly,
Luke Watson,
Griff. Owen,
Griff. Jones,
Arth. Cook,
Jo^{n} Curtis,
Tho. Clifton,
Wm. Markham, Sec^{ry}.

A Letter bearing date y^{e} 2^{1} of Ap^{ll}, Directed to Thomas Lloyd, Presid^{t} of Pennsylvania, was Read: it was subscribed Jacob Leislear; the purport was to send some agent to New York to treat with them of York and other Collonies, about some Cours to preserv themselves ffrom yei^{r} Enemyes, y^{e} ffrench.

Ordered that the Commission of The peace ffor y^{e} Three Lower Counties be Renewed, and y^{t} They runn by y^{e} King's Authority.

Vpon severall Debates Concerning the office of The Clark of y^{e} peace ffor this County, it was generally refferred to y^{e} Disposall of the present Master of y^{e} Rolls, he being the Chief Officer of Reccords.

Vppon a proposall Concerning a Sheriff to be Chosen ffor Bucks County, the present Sheriff Expressing his vnwillingness to serve longer, as the board were informed, Therevpon Wm. Yardly was agreed vpon to be Commissionated ffor y^{e} said place.

Adjor. till 9 to-morrow fforenoon.

At a meeting of The Councill in y^{e} Councill room In Philadelphia The 12 of The 2^{d} Mo., 1690.

PRESENT:

THO. LLOYD, Presid^{t}.

Wm. Clark,
Arth. Cook,
Jo^{n} Symcock,
Sam^{ll} Richardson,
Wm. Yardly,
Luke Watson,
Wm. Markham, Sec^{ry}.

After some Debate about Commissionating officers, &c.,

Adjor. till 3 in y^{e} afternoon.

IN THE AFTERNOON.

PRESENT:

THO. LLOYD, Presidt.
John Symcock,
Luke Watson,
Tho. Duckett,
Sall Richardson,
Jon Curtis,
Tho. Clifton,
Wm. Markham.

Vppon ye Reading of The Petition of John Buzby, who married the Daughter of Christopher Taylor, Deceased, Requesting a Devision of ye Estate of ye said Chris. amongst his Children, Arthur Cook and Samll Richardson Desired to Endeavour an Equall partition, more Especially of ye perishable part of ye sd Estate, which lyes in Thomas Hooton's Custody, and Thomas Hooton is hereby Ordered to Deliver The said Goods to ye order of The Referees before named.

Vpon ye Reading ye Pet. of ye Legatees of Ja. Claypoole, Requesting ye Care of ye Councill in inspecting into the mannagemt of the administration intrusted in their Eldest Brother's hands Chiefly, It was ordered that ye said Brother shall have notice to answer the legatee's Exceptions herein in ye next Councill.

John White Requesting the Councell to signifie their sense to ye Justices of New Castle County, to order James Claypoole to give vp the County Seale and Records vnto him, The board thought The Order granted in his behalfe, Directed to their members and Justices, was Sufficient ffor ye present.

Adjord Till To-morrow, 9 in ye forenoon.

At a meeting of The Councill in The Councill room in Philadelphia ye 13th of ye 2d Mo., 1690.

PRESENT:

THO. LLOYD, Presidt.
John Symcock,
Arth. Cook,
Wm. Clark,
Tho. Duckett,
Grif. Owen,
Tho. Clifton,
Jon Curtis,
Luke Watson,
Wm. Markham, Secry.

Three Commissions of Peace ffor The Three Lower Counties were signed by ye presidt, bearing date ye 11 of ye 2d Mo., 1690.

Adjorned till The 15th Inst.

At a meet. of The Councill in the Councill room the 15th of ye 2d Mo., 1690, in Philadelphia.

PRESENT:

THO. LLOYD, Presidt.
Jon Symcock,
Arth. Cook,
Wm. Clark.
Luke Watson,
Tho. Duckett,
Jon Curtis,
Grif. Owen,
Samll Richardson,
Wm. Markham, Secry.

The Councill mett this day to appoynt a time to adjorne to, and Did Conclude off and adjornd accordingly to y^{e} 12 of y^{e} 3 Mo. next, vnless the Presid^{t} and 6 members see Cause of any Emergent occasion to meet sooner; or in his absence, by notice given by any six members Else, hence ffrom this place.

Before the Departure of The Councill out of The Councill, a lett^{r} Came to the board ffrom John Blunston, in answer to y^{e} Secretary's, by ord^{r} of this board on y^{e} 10th Ins^{t}, w^{ch} being Read, and his Resons ffor Excuseing him to serve in Provinciall Councill being allowed, It was ordered a writt should be forthwith sent to the Sheriff of Chester County to Summons y^{e} ffreemen of The said County to meet at Chester on y^{e} 22 Ins^{t}, to Elect one to serve in his Room; the w^{ch} writt was signed by y^{e} Presid^{t}.

Then adjor^{d} as before.

At a Councill in The Councill Room in Philadelphia The 24th of y^{e} 2^{d} Mo.. 1690.

PRESENT:

THO. LLOYD, Presid^{t}.
Arth. Cook, Griff. Jones, Griff. Owen,
Sam^{ll} Richardson, Tho. Duckett, Wm. Markham, Sec^{ry}.

A Lett^{r} was Read ffrom y^{e} Assembly of Maryland, bearing date y^{e} 11th of Ap^{ll}, 1690.

The Presid^{t} is Desired to returne an answer ffrom himselfe & y^{e} board to y^{e} Late speaker of The Assembly in Maryland.

The Petition of severall of The ffreemen of This Province willing and Ready to bear Armes in Defence of The same, was Read; which ffollows verbatim, (viz:)

To The Honeb^{le} the Provinciall Councill, now Dep^{ty} Gover^{r} of y^{e} Province of Pennsilvania.

The Humble Petition of some of The Inhabitants willing and Ready to bear Armes ffor y^{e} service and Deffence of This Governm^{t}, Sheweth:

That whereas, there is a warr between y^{e} Crownes of England and ffrance, and that our Enemies, the ffrench, have barbarously murdered many of his Maj^{ts} Subjects, very near y^{e} Confines of this Province, w^{ch} have struck no Small terrour in vs and our ffamilyes, and may happen to Attack vs when wee Least think of it, wee humbly pray that you, our Gover^{r}, will be pleased forthwth to settle y^{e} Country in Such a posture that we may be able by fforce of Armes, to Defend it against any assault of our Enemies; and as in Duty bound, shall pray.

Wm. Markham,
Lacy Cock,
Swan Swanson,
Jo^{n} Holme,
Andrew Binkson.

The board being informed that Lassie Cock intends vp y^e Skoolkill among our Indians, y^e begining of y^e next week, doe request that y^e presid^t, with y^e present members, give Instruction to y^e said Lacy Cock to make perticular Enquirie Conerning y^e store and quantity of Ammunition in y^e Custody of y^e ffew ffrench ffamilies seated vp the said River, and in Case he shall ffinde greater store then shall be judged Expedient to be left there, to have y^e same secured, in ord^r to be brought to Barnabas Willcox's store, assureing the owner's Reasonable satisfaction ffor the same; and ffurther, that such of y^e s^d ffrench who may be justly suspected of vnfaithffullness to this province, may be, by y^e most sutable meanes, perswaded downe here; and that y^e Chief Sachem of our Indians may be assured of our good Intention towards them and their people, and that wee desire a meeting with their Cheif men as soon as they Cann Conveniently, giving vs notice of The time nine or tenn days before, and if he sees occasion to Imploy four or six Likely and trusty persons of Them to Range along the most likely parts, ffor y^e Discovering of any Designs of y^e ffrench, or their Indians, against the peace, who shall have Competent satisfaction at their Return to vs. And our desire is that Capt. Markham, Rob. Turner, with such Credible persons as may be perswaded vpon this service, goe along with y^e said Lassie Cock, and that he vpon all occasions, take y^e advice & Concurrence of y^e said persons; And in y^e meantime, Care be taken ffor sutable presents ffor them at their meeting with vs.

The Councill adjor^d till y^e 12th 3^d month, vnless y^e Presid^t and 6 members, See Cause, vpon any Emergent occasion, to meet sooner, or in his absence, by notice given by any six members Else hence.

At a Councill held at New Castle y^e 12 of y^e 3^d Mo., 1690.

PRESENT:

THOMAS LLOYD, P^t.

Jo^n Symcock,
Arth. Cook,
Jo^n Cann,
Sam. Richardson,
Griff. Owen,
Wm. Stockdale,
Barth. Coppock,
Luke Watson,
Tho. Duckett,
Jo^n Brunkloe,
Joha. D'Hawes,
Wm. Markham, Sec^y.

The Returne of Chester County ffor Wm. Howell to serve In Provinciall Councill in y^e Roome of John Blunston, was Read. He appeared not, but a Letter ffrom him, Directed to y^e board, bearing date y^e Eighth of y^e 3^d month, 1690, w^{ch} was Read, setting forth his Incapassity, &c., of giveing Such attendance as is Requisite to that service, Deferd at present, and to be Resolved before y^e Riseing of this Legislative Councill.

The Committee appoynted to Receive proposalls ffrom y^e Assembly, vpon Amendments of y^e promulgated bills, is Arth. Cook, Grif. Owen, Jo^n Symcock, Jo^n Cann, Jo^n Brinkloe, Luke Watson, The Petion of Adam Johnson was Read, &c. The board not haveing any Certaine Knowledg of y^{e} matter, nor Coppy of any Record before them, Defered it for the present.

The Pet. of James ffox was Read, &c. Defer'd till afternoon.

adjor^{d} till 4 in y^{e} afternoon.

AFTERNOON.

PRESENT:

THOMAS LLOYD, P^{t}.

Arth. Cook,
Wm. Clark,
Jo^{n} Cann,
Sam Richardson,
Tho. Duckett,
Jo^{n} Symcock,
Griff. Owen,
Wm. Stockdale,
Luke Watson,
Barth. Coppock,
Johanes D'Hawes,
Jo^{n} Brinkloe,
Griff. Jones,
Wm. Markham, Sec^{ry}.

James ffoxe's Pet., w^{ch} was Read in y^{e} fforenoon, was again Read, Complayning ag^{t} James Walliam, y^{e} King's Collect^{r} ffor selling tobacco he seized, pretendedly by virtue of a judgment obteined in y^{e} County Court of New Castle: an abstract of y^{e} Proceedings of y^{e} said County Court was also Read at this board.

The Assembly Came to this board. Joseph Growdon, a member thereoff, acquaints y^{e} Councill that y^{e} Assembly had Chosen them their Speaker.

The bills No. 1, 2, 3, 4, 5, 6, w^{ch} were promulgated, were given to y^{e} Speaker.

Griff. Jones, a member of This board, acquaints the Councill that Wm. Yardly, an other member, Could not attend his Duty through Indisposition.

James Walliam, y^{e} King's Collector, being sent ffor to this board, to answer y^{e} Complaint of James ffox, appeared and promised that to-morrow morning he would appear againe, to give ffurther satisfaction.

adjorn^{d} till 7 to-morrow morning.

At a Councill at New Castle y^{e} 13th 3^{d} Mo., 1690.

PRESENT:

THOMAS LLOYD, P^{t}.

Sam^{ll} Richardson,
Grif. Owen,
Barth. Coppock,
Griff. Jones,
Joha. D'Hawes,
Wm. Stockdale,
Jo^{n} Brinkloe,
Jo^{n} Curtis,
Arth. Cook,
Jo^{n} Symcock,
Luke Watson.
Tho. Duckett,
Wm. Clark,
Wm. Markham, Sec^{y}.

James Walliam, y^{e} King's Collector, not appearing according to y^{e} minute yesterday, was sent for, but was gon out of Towne.

Wm. Clark was added to y^{e} Committee appoynted yesterday, and any 4 of them to be a Quorum.

Edw^{d} Gibbs, High Sheriff of New Castle County, and Hugh Masland, Butcher of y^{e} said Towne, were sent for to appear before this board. Hugh Masland's attestation was Read, w^{ch} is as ffolloweth, verbatim: Vpon the Request of James ffox was Hugh Masland solemnly attested, who Declares that being vpon a Jury in a plea Depending y^{e} 23 Ins^{t}., James ffox, pl^{t} against James Walliam, George More, Vnder Sheriff, Came among them, and severall times vrged y^{e} Cause against James ffox; and that Edw^{d} Gibbs persuaded the Deponent to agree wth y^{e} Rest of y^{e} Jury in behalfe of James Walliam, ffor y^{t} y^{e} said Edw^{d} Gibbs said it was suspected y^{t} y^{e} Deponent was Concerned with Tobacco ffrom Maryland in y^{e} Like Kind, which he and the Collector had Discoursed together about, and it might be well enough: And likewise persuaded him not to be so Stubborne, as haveing heard he was y^{e} only man stood out; but that y^{e} said discourse took noe Effect wth them, and that Edw^{d} Gibbs said to y^{e} Depon^{t}, he would promise vpon his word, if the Deponent would agree wth y^{e} Rest of y^{e} Jury, he should no ways be Damnified by reason of any suspition of y^{e} Depon^{ts} being Concerned in y^{e} Like Nature, and ffurther Saith not.

Taken before vs this 25 Aprill, 1690.

John Cann,
Joha. D'Haes,
Edw^{d} Blake.

Hugh Masland ownes y^{e} attestation. The Sheriff and Hugh Masland being interrogated, &c., and y^{e} whole matter Debated, Defer'd y^{e} Conclusion till to morrow morning, at which time it was ord^{ed} that James Walliam, y^{e} King's Collector, attend this board.

Rich^{d} Curtis and Rob^{t} Pyle, two members of y^{e} Assembly, Came to y^{e} board for y^{e} Rest of y^{e} Promulgated bills, w^{ch} was Delivered them. No. 7 to 17.

Adjorn'd till 3 in y^{e} afternoon.

AFTERNOON.

PRESENT:

THOMAS LLOYD, P^{t}.

Arth^{r}. Cook,
Wm. Clark,
Grif. Jones,
Sam^{ll} Richardson,
Jo^{n} Curtis,
Thomas Duckett,
John Cann,
John Symcock,
Wm. Stockdale,
Luke Watson,
John Brinkloe,
Joha. D'Haes,
Barth. Coppock,
Griff. Owen,
Wm. Markham, Sec^{ry}.

Credible Information being given to this board that John Richardson, y^{e} Elder of Kent County, hath behaved himselfe so violently and Inhumainely towards his wife, that it is much ffeared he may be her Death; whereupon it was ordered y^{t} a warr^{t} be sent downe to y^{e} Justices of y^{t} County, to make thorow Examinnation into y^{e} matter, wth Direction that vpon sufficient proof, to bind him over to his good behaviour, & to secure him in prison vntill he ffind good & able secur.

Capt Peter Alrichs Came into ye Councill Roome and presented to this board a Commission ffrom Goverr Penn to himselfe, bearing date ye 18 8ber, 1683, Constituting him Leift, and Comdr in Chief of ye Towne and ffort at New Castle, &c., wch was Read; and Likewise, he produced a paper of Subscription of severall persons that had Listed themselves to serve ye Country vpon any occasion of an Enemies approach, wch was Likewise Read.

adjorned till 8 to-morrow morning.

Att a Councill at New Castle ye 14th 3 Mo., 1690.

PRESENT:

THOMAS LLOYD, Pt.

Arthr Cook,
Sam. Richardson,
Griff. Owen,
Tho. Duckett,
Jon Symcock,
Griff. Jones,
Wm. Stockdale,
Jon Curtis,
Barth. Coppock,
Jon Brinkloe,
Luke Watson,
John Cann,
Joha. D'Haes,
Wm. Clark,
Wm. Markham, Secry.

According to ye notice sent yesterday to James Walliam, Collectr of ye King's Customs, he appeared, & likewise James ffox.

James Walliam produced his Instructions ffrom Patrick Mien, Esqr., Survr Genell of his Majts Customs in ye American Plantation.

Vppon ye Debate of ye tryall vppon a seizure made by James Walliam, of about 40 hdds. of Tobacco of said James ffox's, ye Clark of ye County of New Castle was sent with ye Record of ye said tryall.

The Petition of James ffox, wch was Read ye 12 Inst, was againe Read: James Walliam, against whome he petitioned, being present.

Adjord till 4 Afternoon.

IN Ye AFTERNOON, 14 3 Mo., 1690.

PRESENT:

THOMAS LLOYD.

John Symcock,
Arthr Cook,
Wm. Clark,
Griff. Owen,
Grif. Jones,
Luke Watson,
John Cann,
Tho. Duckett,
Sam. Richardson,
Jon Curtis,
Barth. Coppock.
Jon Brinkloe,
Wm. Stockdale,
Joha. D'Haes,
Wm. Markham, Secry.

The Difference between James ffox and James Walliam, ye King's Collectr, was Reassumed, and ye Records of ye County Court of New Castle, where ye tryall was Exammined; and vpon Debate it was Resolved that ye said Walliam and ffox be spoaken to to End ye Difference between themselves, before this board proceeds any ffurther in it.

Adjornd till 9 to-morrow morning.

New Castle, At a Councill ye 15th 3 Mo., 1690.

PRESENT:

THOMAS LLOYD, Pt, wth ye Rest, as yesterday.

The Committee of This board presented the Promulgated bills they had Received ffrom a Committee of ye Assembly, with ye Assembly's Amendments and Rejectmts, which were Allowed off according to their proposalls, tho' the fforme of Drawing ye said Amendments into Bills may be properly ye Concerne of This board, and that their Committee be informed of their mistake in their Resolve vpon ye ffirst bill.

Resolved that ye Committee of ye Councill acquaint the Assembly that to-morrow morning they shall be Ready, if ye Assembly Can, to pass all ye bills that are to be passed.

Adjd till 7 to-morrow morning.

At a Councill in ye Court-house at New Castle, ye 16th 3d Mo., 1690.

PRESENT:

THO. LLOYD, Pt.
John Symcock,
Tho. Duckett,
Griff. Owen,
Griff. Jones,
Wm. Clark,
Arth. Cook,
Jon Cann,
Samll Richardson,
Joha. D'Haes,
Jon Curtis,
Jon Brinkloe,
Luke Watson,
Wm. Stockdale,
Barth. Coppock,
Wm. Markham, Secry.

The Councill mett in this place, that they might have Roome to make a Genell Assembly.

The Councill being Called over and Satt, the Assembly was Called in; and being asked by the Presidt whether they were Ready to pass or Reject ye bills as promulgated, varied, or added vnto, Said they were. They took their places, and made a Genell Assembly.

1th. The ffirst bill was Read, wth its amendments: past N. C. D.
2d. The Second bill was Read: past N. C. D.
3. The third bill was Read: past N. C. D.
4. The ffourth bill was Read: past N. C. D.
5. The ffifth bill was Read: past in ye affirmative.
6. The Sixth bill was Read: past N. C. D.
7. The Seventh bill was Read: Rejected.
8. The Eighth bill was Read; Past N. C. D.
9. The Ninth bill was Read: Past N. C. D.
10. The Tenth bill was Read: Past N. C. D.
11. The Eleventh bill was Read: Rejected.
12. The Twelveth bill was Read: Rejected.
13. The Thirteenth bill Read, & Rejected.
14. The ffourteenth bill Read, & Past N. C. D.
15. The ffifteenth bill Read, and past N. C. D.
16. The Sixteenth bill Read, & past N. C. D.
17. The Seventeenth bill was Read, & past in ye affirm.

The Gene^{ll} Assembly adjorned at this time, till y^{e} Gover^{r} & Councill should Dismiss them.

The Councill adjorned till y^{e} afternoon, to y^{e} place of Their Sitting, Cap^{t} fforatt's house.

In y^{e} Afternoon: Present as in the fforenoon.

Ordered that y^{e} Secretary make vp the acco^{t} of Buoy mony with in a month.

Two members of The Assembly Came to acquaint the board that the Assembly were Ready (when the Councill pleased) to Receive their Discharge. Appoynted they should Come about two hours hence.

Ordered a Commission should be Drawne ffor Rich^{d} Holwell to be High Sheriff of New Castle County, to Commence y^{e} ffirst of August, to Continue for one whole year.

The Petition of White was Read, Humbly Requesting he might be Re-Invested in his office of Clark of New Castle County, Alligeing he was Illegally turned out of The Same.

Resolved by y^{e} majority of the board, that he shall have an Order ffor y^{e} Delivery back to him the Records of y^{e} said County Court. The wording of y^{e} ord^{r} is Referd to y^{e} Presid^{t} & Secretary.

The Petion of Sam^{ll} Atkins was Read, Complayning against Wm. Clark, a member of this board. Referd to Common Law.

Kent County Commission of y^{e} peace, dat. 11 2^{d} Mo., 1690, was Signed by Thomas Lloyd, Presid^{t}. Justices inserted are Jo^{n} Brinkloe, John Curtis, George Martin, Dan^{ll} Jones, John Walker, Mark Manloe, Wm. Lawrence, Wm. ffreeland Tho. Rouse, Wm. Manloe, Jo^{n} Betts, Symond Hirons.

One of The same date ffor New Castle County, was also Signed. The Justices were Peter Alrichs, John Cann, Wm. Stockdale, Ew^{d} Blake, Cornelius Empson, Joha. D'Haes, Pet^{r} Bainton, Charles Rumsey, Rob^{t} Ashton, John Hayly and Hen. Williams.

Ordrd Rob^{t} Robinson have a Commission ffor Coroner of New Castle County, and another ffor Thomas Stratton ffor Kent County.

The Assembly was Called in and Received their Discharge ffrom their present service.

The Councill adjorned to Philadelphia, The 22^{d} Ins^{t}.

At a Councill in y^{e} Councill Roome in Philadelphia y^{e} 22 of y^{e} 3^{d} Mo., 1690.

PRESENT:

THOMAS LLOYD, P^{t}.

John Symcock,
Sam^{ll} Richardson,
Grif. Owen,
Arth^{r} Cook,
Wm. Clark,
Wm. Markham, Sec^{ry}.

Some number of Indians this day Coming into the towne, supposeing to make application to the Governm^t, Ordered that Cap^t Lawrence Cock be sent for, to be in Towne by Eight to-morrow morning, to Interprete; and in Case y^e Councill are not Sitting, that y^e Presid^t, with y^e Present members and Justices, with others, y^e principall Inhabitants, Doe treat them Civilly, Receive their message, and give their answer accordingly.

Cap^t L. Tort makeing his application to y^e Councill that he may have liberty to goe for England, Resolved that he may, provided he performes the Laws of Governm^t in that Case provided.

Ordered that Nehemiah ffield have a Lycence to Keep ordinary at Lewis.

adjorn'd till ffurther Order.

At a meeting of y^e Councill in the Councill Room in Philadelphia the 30 of y^e 5th Mo., 1690.

PRESENT:

THOMAS LLOYD, Presid^t.

Jo^n Symcock,	Barth. Coppock,	Griff. Jones,
Griff. Owen,	Sam^{ll} Richardson,	Wm. Markham, Sec^{ry}.
Arth. Cook,		

Notice being given to this board by y^e Justices of Sussex County, y^t y^e Sheriff of y^e said County intends suddenly ffor England, and Recommending Sam^{ll} Preston as a ffitt person to Supply y^e place, a Commission was this day signed ffor him.

In a letter ffrom Edw^d Blackfann vnto y^e Secretary, bearing date at London, y^e 30 9ber., 1689, and Rec^d of Rich^d Morris, Master of y^e Philadelphia march^t, the 15th 5 Mo., 1690, was Inclosed an Order ffrom the Lords of The Privie Councill, Directed (To Our Loveing ffriend, Wm. Penn, Esq^r., Proprietor of Their Maj^{ts} Province of Pennsilvania, in America,) bearing date ffrom y^e Councill Room in Whitehall, y^e 19th day of ffeb., 1688–9, ffor the proclaming William and Mary, Prince and Princess of Orange, King & Queen of England, ffrance and Ireland, and of y^e Territorys and Dominions Therevnto appertaining; wth three printed Proclamations ffor the Same, and Coppys of y^e oaths to be taken in stead of y^e Oath of Allegiance and Supremacy.

Vppon Debate of y^e aforesaid ord^r ffrom y^e Lords, it was Resolved That Since y^e whole Tenour thereoff hath been in Effect performed by an Order ffrom y^e Gover^r and Councill, bearing date y^e 2^d day of y^e 9th month, 1689, and that so long time, by Accidents, hath Relapsed ffrom y^e Date of The said ord^r to y^e Time of Receit thereof, that it was not necessary to publish it.

The Petition of ffran. Cook was Read, Requesting an Equall Devision of y^e Estate of Jame Claypoole, Deceased, amongst his Children. Ordered that John Claypoole Appear at y^e next Councill, to answer y^e said Cook's Complaint.

The Petition of Sam^{ll} Atkins was Read, setting fforth that Rich^{d} Russell hath taken out Execution vpon a judgment obteined ag^{t} him, y^{e} said Atkins, by y^{e} said Russell, in y^{e} County Court of Philadelphia, held in y^{e} ffirst month Last past, notwithstanding y^{e} Court did appoynt Sam^{ll} Carpenter and Benj. Chambers to adjust their acco^{ts}, and to make Returne thereoff to y^{e} next Court. Ordered That Sam^{ll} Carpenter and Benj. Chambers be Desired to End y^{e} Difference depending between y^{e} said Russell and Atkins, w^{ch} was Refer'd to them by y^{e} said County Court of Philadelphia, and make Returne of Their so doing to y^{e} next said County Court.

Ordered that notice be given to all y^{e} members of Councill, that they meet at Philadelphia y^{e} 4th 7 Mo. next, To Commissionate Prov^{ll} Judges.

Adjor^{d} till 3 in y^{e} afternoon.

AFTERNOON.

PRESENT:

THOMAS LLOYD, Presid^{t}.

John Symcock,	Arth. Cook,	Griff. Owen,
Grif. Jones,	Sam. Richardson,	Wm. Markham, Sec^{ry}.

The Councill vnderstanding that James Claypoole, Clark of New Castle County, was in Towne, sent ffor him, and asked him his Reason why he did not obey y^{e} order Directed to him to Deliver y^{e} writeings and Seal of y^{e} said County to Jo^{n} White. His answer was that before y^{e} order Came downe, the Court had Commanded him to Deliver vp their Records to them, and that he did deliver y^{e} same to them in open Court. The Councill therevpon signified to him that what Act he shall doe as Clark ffor ye ffuture shall be looked vpon as of no Effect.

Ordered that notice be given to y^{e} Magistrates of Kent County, that y^{e} Councill hath thought ffitt (vpon an Ill Character of John Richardson, jun^{r}.) to make voyd y^{e} Lycence he had to keep ordinary, and that they are desired to take Care it be suppressed accordingly.

Ordered That Benj. Chambers have a warr^{t} to Constitute him a Water-Baly ffor y^{e} Province of Pennsilvania.

Ord^{ed} Blank Commissions to be drawne for Coroners.

adjorn^{d} till y^{e} 4th 7 Mo. next, or till ffurther order.

At a meeting of y^{e} Councill in y^{e} Councill Room at Philadelphia y^{e} 4 7 Mo., 1690.

PRESENT:

THOMAS LLOYD, Presid^{t}.

John Symcock,	Grif. Owen,	Barth. Coppock,
Arth^{r} Cook,	Wm. Yardly,	John Brinkloe,
Tho. Duckett,	Wm. Stockdale,	Wm. Markham, Sec^{ry}.
Sam^{ll} Richardson,	Griff. Jones,	

It was y^e sense of y^e majority of This board, and Griff. Jones was desired to Deliver it to William Markham, that y^e said Markham should Deliver y^e seal and Records of y^e County of Philadelphia to y^e master of y^e Rolls, or his order.

The Address of y^e Justices of y^e County Court now sitting in Philadelphia, was Read, Complayning against William Markham ffor not delivering y^e Reccords and seal of y^e Said County.

adjorn^d till to-morrow, 7 in y^e morning.

At a meeting of y^e Councill in y^e Councill Room in Philadelphia y^e 5 7 Mo., 1690.

PRESENT:

THOMAS LLOYD, Presid^t.

John Symcock,
Arth. Cook,
Wm. Yardly,
Sam^{ll} Richardson,
Griff. Jones,
Tho. Duckett,
Wm. Stockdale,
Barth. Coppock,
Griff. Owen,
Wm. Markham, Sec^{ry}.

A Lett^r was Read ffrom Cadwallader Jones, Gover^r of New Providence, bearing date ffrom thence y^e 30th July, 1690, with a Proclamation ffrom y^e sad Gover^r to Incourage those who has any Claime any land there to Returne.

The Address of y^e Justices of y^e County of Philadelph. ffor a ffurther Strengthning y^e Authority of y^e watch was Read. The board Returned Answer that they well approved of Their address, and shall give due Continance to y^e Same vpon all occasions. It was putt to y^e vote whether Wm. Markham should bring y^e seal and Records of y^e County of Philadelphia and Deliver y^e same vp to this board: it was Carried in y^e affirmative

Wm. Markham, by Consent of y^e board, Entred this for his Reply: that he was Keeper of y^e Rolls and seal by Commission, during good behaviour, and his Commission not being Legally vacated, nor any misbehaviour laid to his Charge, he thinks it his duty to Keep them still in his Possession.

The Councill haveing Thorowly Considered his Reply to their ord^r ffor y^e Delivery of y^e seal and Records of This County, And being Gen^{ell} Satisfied that his Commission Determined wth Cap^t Blackwell's Station in y^e Governm^t, doe look vpon his Reply a Contempt to y^r ord^r of This board.

Vppon y^e Reading of y^e Petition of Severall of y^e Inhabitants of Philadelphia, Requesting the Care of y^e Councill in Referrence to a Certaine vssell, whereoff John James is master, Ordered that notice be given to the master, if in Towne, to Appear in y^e afternoon to answer y^e Complaint, and that Sam^{ll} Carpenter, wth y^e Rest of y^e Petitioners, attend accordingly.

Adjorn'd till 3 in y^e afternoon.

Afternoon: Present as in y^e fforenoon.

The Petition of James ffox was Read, Requesting a Remission of y^e Governour's part of 42 hdds. of Tobacco, w^{ch} was Seised and Appraised at Nine p. hdd. The board ordered that it Should be left vncollected vntill y^e Gover^r be acquainted therewth.

John James, against whome y^e Complaint in y^e fforenoon was Exhibited. not being in Towne, it was Defer'd till y^e next sitting.

The Judges appoynted are Arthur Cook, John Symcock, Joseph Growdon, Peter Alrichs, Thomas Wynn.

adjornd till to-morrow, 7 in y^e forenoon.

At a meeting of y^e Councill in y^e Councill room in Philadelphia y^e 6th of y^e 7 Mo., 1690.

PRESENT:

THOMAS LLOYD, Presid^t.

John Symcock,
Arth. Cook,
Griff. Owen,
Tho. Duckett,
Wm. Yardly,
Sam^{ll} Richardson,
Barth. Coppock,
Wm. Stockdale,
Grif. Jones,
Wm. Markham, Sec^{ry}.

Ord^{ed} that y^e Respective Sheriffs be Charged with y^e Rec^t of y^e Gover^{rs} Rents and Dues. Ord^{ed} That Arthur Cook be added to y^e Comission of y^e peace ffor Philadelphia County, and John Symcock to Chester.

adjor^d till y^e 11th Ins^t.

At a Councill in y^e Councill Room at Philadelphia 7ber. 11, 1690.

PRESENT:

THOMAS LLOYD, P^t.

John Symcock,
Sam^{ll} Richardson,
Tho. Duckett,
Barth. Coppock,
Griff. Owen,
Wm. Markham, Sec^{ry}.

Sam^{ll} Carpenter, Phil. Richards and Jo^n Delavall, three of y^e person that Subscribed y^e Petition Read against John James y^e 5th Ins^t., Appeared to prossecute their Complaint against Jo^n James, be being present.

Vppon y^e Debate of the whole matter, it was Ordered that a ffurther Survey be made vpon y^e vessell, Riggin, &c. of her sufficientcy ffor performing her voyage to England, and in Case vpon y^e survey it appears that shee is Insufficient to performe her voyage to England, That The Goods mentioned in y^e Certificate, with y^e Cirtificate it selfe, and Letters, be Secured to y^e satisfaction of y^e Governm^t.

Ord^ed That y^e Commission ffor y^e Judges be fforthwith drawne and signed by y^e Presid.

Ord^ed That y^e Presid^t provide a County seal ffor Philadelphia County.

adjor. till ffurther ord^r.

At a Meeting of y^e Councill in The Councill Roome at Philadelphia the 21 of 9ber. 1690.

PRESENT:

Wm. Clark,	Luke Watson,	John Brinkloe,
Jo^n Cann,	Joha. D'Haes,	Grif. Jones.

The members being mett, they proceeded to Choose their Presid^t, and vnanimously Chose Wm. Clark.

The members of Sussex County setting fforth y^t one y^e members of Councill ffor their County, viz: Thomas Clifton, was gon to England, whereby the Attendance of y^e other two may Light too heavy on them, Resolved That a writt be forthwith drawn and Signed by the Present President, to Choose an other to serve During his absence: the day for y^e Election to be on y^e 3^d of y^e next month.

The Councill takeing into Consideration y^e great Dammage and Disappoyntments Caused by the neglect or vnwillingness of y^e Judges to doe their Dutys in Severall Counties, that they were by Law and Comiss^on obliged to Doe, And to the End that that Service may be duly observed and Kept, They Thought ffitt to make a new Choyce of Judges, and Chose John Symcock, Wm. Clark, Arthur Cook, Griff. Jones and Edw^d Blacke, who being Singly putt to y^e vote, were vnanimously Chosen.

Ord^ed That according to the Proprietary's Example, There be two Commissions Drawne ffor the Judges, that y^e Province may be accommodated, and y^e Counties annex'd, with Each one; in which Commission John Simcock to be placed ffirst in one of Them, and Wm. Clark ffirst in y^e other; The Commissions to be in fforce vntill y^e Sitting of y^e next Gen^ell Assembly; And it was vnanimously agreed and ordered that John Cann and John Brinkloe wayte vpon y^e Keeper, in order to have y^e broad seal to them.

Ordered that Commissions be fforthwith drawne for Continuing y^e Clarks of y^e Counties annexed in their Respective places, vntill y^e Proprietary himselfe shall think ffitt otherways to order it: Or that y^e Provinciall Councill, Two of y^e members of y^e Respective County y^e Clark belongeth vnto, Consenting make it voyde.

The members of New Castle County Requests That a ffaire may be Kept at y^e Towne of New Castle twice a year: it was vnanimously agreed to, and Ordered y^t it be held on y^e 3^d and 4^th days of May, and 3 and 4^th days of 9ber Annually.

Adjorned till Two in y^e afternoon.

AFTERNOON.

Present as in y^e forenoon.

Resolved that henceforward no Officer be Commissionated or appoynted by this board ffor any of the Respective Counties within this Government, vnless at Least two members of y^t County be present and assent therevnto: The w^{ch} being putt to y^e vote, it past N. C. D.

John Cann & John Brinkloe Returned from wayting on y^e Keeper with y^e Judges Commission to pass vnder y^e broad Seal, and reported that y^e Keeper absolutely Refused to seal them; therefore, it was Ordered that y^e Judges Act by Them vnder y^e lesser seale, as they are.

adjorned till ffurther order.

Gulielmus et Maria Die Gratia Angliae scotiae Frantia at Hiberniae Rex et Regina Fidei defensores &c. Dilecto Nobis Benjamino Fletcher Armigero Salutem ad cognoscendum et procedendum in quibuscunque Causis civilibus et maritimus atque querelis contractibus delictis sen quasi Delictis criminibus placitis debitis, excambys Computis chartis partitis conventionibus Litibus transgressionibus, injurys extortionibus Demandis ac negotys civilibus ac maritimis motis sen movendis quibuscunque inter mercatores aut inter Dominos et proprietarias navium et aliorum Vasorum et mercatores sen alios quoscunque cum eisdem Dominis et proprietarys navium et cæterorum Vasorum quorumcunque infra Jurisdictionem maritimam Admiralitatis nostrae provinciae Novi Eboraci et Territoriorum eisdem dependentium in America, viz: Coloniarum de Jersey Orientali et occidentali, Provinciae Pennsilvaniae et Regionis Novi Castri ac Omnium terrarum tractuum et Territoriorum eisdem dependentium occupatorum vel usitatorum sen interquascunque alias personas qualitercunque habitis factis initis sen contractis proaliqua re materia causa vel negotio sen injuria quacunque infra Jurisdictionem nostram maritimam praedictam expeditis sen expediendis, Una cum omnibus et singulis suis incidentibus emergentibus dependentibus annexis et connexio causis quibuscunque ubicunque sen qualitercunque hujusmodi Causa querelae Contractus et alia promissa supradicta veleorum aliquod oriri celebrari, contrah vel fieri contingat, juxta jura statuta Leges Ordinationes et consuetudines ab antiqua observata audiendum et terminandum. Ac insuper in omnibus et singulis querelis contractibus conventionibus et causis et negotys civilibus et maritimis ultra mare per ficiendis ultrave mare contractis qualetercunque emergentibus sen contingentibus. Ac etiam in caeteris causis et materys omnibus et singulis quae Jurisdictionem maritimam admiralitatis nostrae pradictae in Dictis provincia nostra Novi Eboraci et territorys eisdem dependentibus in America, viz: Colonys de Jersey orientali et occidentali provincia Pennsylvaniæ et Regione Novi Castri ac omnibus terrarum tractibus et territorys eisdem dependentibus et partibus maritimis corundem et eisdem adjacentibus quibuscunque quovis modo tangunt sen aliquo modo concernunt vel ab antiquo pertinere debuerunt aut debeut. Et generaliter in omnibus et singulis alys Causis Litibus Criminibus delictis excessubus injurys querelis maleficys sen

quasi maleficys Transgressionibus Regratarys forstallarys et negotys maritimis quibuscunque per Loca prædicta infra Jurisdictionem maritimam admiralitatis nostrae provinciae Nostra Novi Eboraci et territoriorum eidem dependentium in America, viz: Coloniarum de Jersey Orientali et occidentali Provinciae Pennsilvaniae et Regionis Novi Castri ac omnium terrarum tractuum et territoriorum eisdem Dependentium prædict per mare vel aquam aut ripas sen Littora eorundem qualitercunque factis Commissis perpetratis aut emergentibus. Nec Non ad inquirendum per sacramentum proborum et Legalium hominum dedictis provincia nostra Novi Eboraci et Territorys eidem dependens in America, viz: Colonys de Jersey orientali et occidentali provincia pennsilvaniae et Regione Novi Castri ac omnibus terrarum tractibus et Territorys eisdem Dependens et partibus maritimis eorundem et eisdem adjacentibus quibuscunque tam infra Libertates et ffrancheiss quam extra ubi Libet Commorantium tam de omnibus et singulis quae de Jure statutis Legibus Ordinationibus vel Consuetudinibus ab antiquo observatis inquiri solent vel deberent quam de wrecco maris ac de omnibus et singulis bonis et Catalis quorumcunque proditorum piratarum Homicidarum et felonum qualitercunque infra Jurisdictionem maritimam admiralitatis nostrae provinciae nostrae Novi Eboraci et Territoriorum eidem dependens in America, Viz: Coloniarum de Jersey orientali et occidentali, provinciae pennsilvaniae et Regionis Novi Castri ac omnium terrarum tractuum et territoriorum eisdem dependentium prædict delinquentium: Ac de bonis debitis et Catallis omnium et singulorum eorum manu-tenentium accessariorum Consulentium auxiliantium vel assistentium quorumcunque, Atque etiam de bonis debitis et Catalis quorumcunque personarium felonium de se et cujus libet personae felonis de se infra jurisdictionem nostram maratimam prædictam quovis modo sen qualitercunque ad mortem devenientium ubicunque bona debita et Catalla hujus modi aut aliqua parcella eorundem per mare aquam vel terram indictis provincia nostra Novi Eboraci et territorys eidem dependentibus in America, viz: Colonys de Jersey orientali et occidentali provincia Pennsilvaniæ et Regione Novi Castri ac omnibus Terrarum Tractibus et Territorys eisdem dependentibus et partibus maritimis eorundem et eisdem adjacentibus quibuscunque tam infra Libertates et ffrancheiss quam extra fuerint inventa sen invenienda forisfacta sen forisfacienda vel existentia quæcunque. Ac etiam de bonis debitis et Catallis quarumcunque aliarum felonum de se et cujuslibet alterius personae felonis de se infra jurisdictionem nostram maritimam prædict repertis sen reperiendis Contingentibus quibuscunque. Et prætera tam de bonis debitis et Catallis quorumcunque aliorum proditorum felonum et Homicidarum ubicunque Locorum delinquentium. Ac debonis Debitis et Catallis eorum manutenentium accessariorum Consulentium auxiliantium vel assistentium quam de bonis debitis et Catallis quorum cunque ffugitivorum Convictorum attinctorum damnatorum utlagatorum vel in exigendo pro proditione felonia homicidio vel murdro sen aliquo alio quocunque offenso aut delicto qualitercunque posito sive penendo. Atque etiam de Bonis Waviatis FLOTZON SETZON LAGON SHARES THESAURO invento sen inveniendo Deodandis. Ac debonis quorumcunque aliorum pro delictis habitis vel habendis sen casu fortuito repertis aut reperiendis vel qualitercunque debitis sen debendis. Ac De omnibus alys Casualibus tam insuper vel per mare Littoraque Crecas aut Costeras maris vel partes maritimas quam in super vel per aquas dulces portus flumina publica rivos sen Crecas aut Loca superinundata quaecunque infra fluxum et refluxum maris sen aquae ad plenitudinem aut super Littora vel ripas alicujus eorundem infra Jurisdictionem nostram maritimam prædictam qualitercunque quandocunque vel quomodocunque emergentibus contingentibus sive provenientibus quibuscunque vel ubicunque bona debita et Catalla hujusmodi aut cætera præmissa vel aliqua parcella eorundem infra Jurisdictionem nostram maritimam prædictam reperiantur aut inveniri sen reperiri contigerint. Ac in super de amheragys et Lastagys sen areuoso navium oneratione Et de piscibus Regalibus, viz: Sturgeonibus Balenis Cetis porpesys Delphinis, riggis ac graspitys et generaliter de cæteris piscibus quibuscunque magnam sive ingentem Crassitudinem sive pinguedinem in se habentibus ab antiquo de jure vel consuetudine ad nos quovis modo pertinentibus aut spectantibus sen aliquo modo consuetis eadernque wreccum maris ac bona debita et catalla et caetera præmissa omnia et singula una cum omnibus et omnimodis finibus mulctis exitibus forisfacturis amerciamentis redemptionibus et recognitionibus quibuscunque forisfactis sen forisfaciendis et poenis pecuniarys pro transgressionibus delictis injurys extortionibus contemptibus accalys maleficys quibuscunque vel proaliqua re materia sen causa quacunque impositis vel inflictis imponendis vel in fligendis qualitercunque in Dictis provincia nostra Eboraci et territorys eidem dependentibus in America, viz: Colonys De Jersey orientali et Occidentali, Provincia Pennsilvaniae, et Regione Novi Castri ac omnibus terrarum tractibus et Territorys eisdem dependentibus et partibus maritimis eorundum et eisdem adjacentibus quibuscunque in aliqua Curia admiralitatis nostrae ibidem tenta sen tenenda presentatis sen presentandis assidendis afferendis forisfaciendis sen adjudicandis. Ac etiam una cum amerciamentis exitibus finibus perquisitis mulctis et poenis pecuniarys quibuscunque ac forisfacturis quarumcunque recognitionum coram Vobis vestiove Locumtenente deputato vel deputatis indictis provincia nostra Novi Eboraci et Territorys eidem dependentibus in America, viz: Colonys de Jersey orientali et occidentali, provincia Pennsilvaniæ et Regione Novi Castri; ac omnibus Terrarum Tractibus et Territorys eisdem Dependentibus et partibus maritimis eorundem et ysdem adjacentibus quibuscunque audiendis et terminandis assignatis sen assignandis contingentibus sen impositis aut imponendis vel in fligendis sen aliquo modo assidendis, afferendis forisfaciendis sen adjudicandis aut aliquo modo occasione præmissorum Nobis vel Heredibus sen Successoribus nostris in eaparte qualitercunque Debitis sive Debendis quibuscunque pretendum exigendum, Levandum Capiendum, Colligendum recipiendum et obtinendum ac ad usum nostrum at officy magnae Admirallæ nostrae Angliae praedict pro tempore existente custodiendum et conservandum. Ac insuper recognitiones Cautiones obligationes et stipulationes quascunque tam ad usum nostrum quam ad quarumcunque partium instantiam pro Conventionibus sen debitis ac alys causis quibuscunque capiendm easque executioni ponendem et exequi faciendm et mandandum. Nec non naves personas, res, bona, merces, it mercimonia quæcunque pro praemissis et eorum quolibet acalys causis quibuscunque ea concernentibus ubicunque Locorum per dicta provinciam nostram Novi Eboraci et Territoria eidem dependentia in America, viz: Colonias de Jersey orientali et occidentali, provinciam Pennsilvaniæ et Regionem Novi Castri ac omnes terrarum tractus et Territoria eisdem dependentia et partes maritimas eorundem et eisdem adjacentes quascunque infra Libertates et ffrancheiss vel extra fuerint inventa sen reperta Atque etiam pro alys Conventionibus causis sen debitis quibuscunque qualitercunque contractis sive emergentibus dum modo bona sen catalla sen personae debitorum reperiantur infra jurisdictionem nostram prædictem juxta Leges Civiles et maritimas et consuetudines ab antiquo usitatas realiter arrestandum et arrestari faciendum et mandandum Spsasque cum suis emergentibus, dependentibus incidentibus, annexis et connexis Causis et negotys quibuscunque una cum caeteris causis Civilibus et maritimis atque querelis contractibus et alys praemissis omnibus et singulis quibuscunque Superius respective expressis juxta Leges et consuetudines praedictas, ac alys vys modis et modys Legitimus quibus melius Sciveris aut preteris audiendm examinandm disentiendm et fine debito Terminandm. Ac personas quascunque inea parte prout casus exiget comparere et respondere cum cujuslibet Coertionis temporalis alteriusque poenae et mulctae potestate juxta Leges et consuetudines praedictas compellendm ac justitiam faciendm et ministrandm etiam juris ordine servato sen velo Levato sine Strepitu et figura justitiae sola facti et rei veritate inspecta procedendum Reosque et Contemptores ac juris sen Jurisdictionis admiralitatis nostræ violatores et Usurpatores delinquentes et contumaciter absentes Nam Ceros Marinarios Remiges piscatores nanpegos et alias operarios et expertos quoscunque res Nauticas quascunque exercentes juxta jura statuta Leges Ordinationes et consuetudines ab antiquo observata mulctandm Corrigendm puniendm Castigandm et reformandm ac in quibuscunque Carceribus infra provinciam nostram Novi Eboraci et Territoria eidem dependens in America, viz: Colonias de Jersey orientali et occidentali, provinciam Pennsilvaniæ et Regionem Novi Castri ac omnes terrarum tractus et territoria eisdem dependentia prædict existentibus incarcerandum et incarcerari faciendm et mandandm Incarceratosque quascunque inea parte qui deliberandi fuerint deliberandum et penitus exonerandum et exonerari faciendm et mandandum, Flumina que publica portus rivos et aquas dulces et Crecas quaecunque infra Jurisdictionem Nostram maritimam praedictam ubicunque Locorum in Dictis provincia nostra Novi Eboraci et Territorys eidem dependentibus in America, viz: Colonys de Jersey orientali et occidentali, Provincia Pennsilvanæ et Regione Novi Castri, ac omnibus terrarum tractibus et territorys eisdem dependentibus et partibus maritimis eorundem et eisdem adjacentibus quibuscunque existunt pro Conservatione tam Classis nostrae ac Classium et Navigiorum Regnorum et dominiorum Nostrorum praedictorum quam piscium in eisdem fluminibus et Locis praedict crescentium quorumcunque Nec Non jura statuta Leges, ordinationes et consuetudines ab antiquo observata in dictis provincia Nostra Novi Eboraci et Territorys eidem dependens in America, viz: Colonys de Jersey orientali et occidentali, provincia Pennsylvaniae et Regione Novi Castri ac omnibus terrarum tractibus et Territorys eisdem dependentibus et partibus maritimis eorundum et eisdem adjacentibus quibuscunque conservandum et exequi et conservari faciendm omniaque et singula alia faciendm exercendm expediendm et exequendum in praemissis et eorum quolibet prout de jure et secundum Leges et statuta Ordinationes et Consuetudines praedict fuerint faciendm. Ac in super Retianimis stricta acalia ingenia sive Instrumenta quaecunque illicita circa prensionem piscium ubicunque Locorum per mare aut flumina publica portus, rivos aquas dulces sen Crecas quaecunque per provinciam nostram Novi Eboraci et territoria eidem dependens in America, Viz: Colonias de Jersey orientali et occidentali, Provinciam Pennsilvaniae et regionem Novi Castri ac omnes terrarum tractus et territoria eisdem dependentia praedict et partes maritimas eorundum et eisdem adjacentes quascunque infra jurisdictionem nostram praedictam ubicunque Locorum per aquam Occupata sive exercitata ac Exercitatores et occupatores eorundem juxta jura statuta Leges ordinationes et Consuetudines praedicta puniendm corrigendm et reformandm, Sententiasque et decreta quaecunque fulminandum promulgandm et interpenendm, Eaque executione demandandm cum cognitione et jurisdictione quarumcunque aliarum Cavsurum civilium et maritimarum, quis sunt maris sen quae mare vel maris pertransitum sive passagium aut Iter navale sive Viagium maritimum vel Jurisdictionem nostram maritimam supradictam sen Loca vel Limites admiralitatis nostræ praedictæ et Cognitionem antedictam ac alia quaecunque expedita vel expedienda quovis modo Concernunt sen respiarint etiam cum potestate procedendi in eisdem juxta jura statuta Leges, ordinationes et consuetudines prædicta ab antiquo usitata tam ex officio mero mixto vel promoto quam ad alicujus partis instantiam prout casus exiget et expediens visum fuerit, Et etiam cum Cognitione et decisianede wrecco maris magno sen parvo ac de morte submersione et Visu corporum mortuorum quarum cunque personarum in mare vel Fluminibus publicis portibus aquis dulcibus sen Crecis quibuscunque infra fluxum maris et aquae ad plenitudinem perdicta provinciam nostram Novi Eboraci et Territoria eidem dependentia in America, viz: Colonias de Jersey orientali et occidentali, provinciam Pennsilvaniae et Regionem Novi Castri ac omnes Terrarum Tractus et Territoria eisdem dependentia et partes maritimas eorundum et eisdem adjacentes quascunque vel alibi infra jurisdictionem nostram praedictam qualitercunque inter fectarum sive submersarum aut interficiendarum sen submergendarum sive murderatarum vel murderandarum aut aliquo alio modo ibidem ad mortem devenientium; Una cum cognitione de Mahemio in Locis prædict infra Jurisdictionem nostram maritimam praedictam ac fluxum maris et aquae ibidem contingenti, Cum potestate etiam puniendi delinquentes in ea parte quoscunque juxta juris exigentiam et consuetudines praedictas caeteraque omnia et singula quae in praemissis tantum et circa ea necessaria fuerint sen quomodo Libet opportima juxta et secundum Jura Statuta Leges, ordinationes et consuetudines praedicta faciendum exercendm expediendm et exequendm. Tibi de cujus fidelitate et Circumspectionis industria plurimum in hac parte confidimus Vices et authoritatum Nostras in et per provinciam nostram Novi Eboraci et territoria eidem dependentia in America, Viz: Colonias de Jersey orientali et occidentali, provinciam Pennsilvanae et Regionem Novi Castri ac omnes terrarum tractus et Territoria eisdem dependentia praedicta et partes maritimas eorundam et eisdem adjacentes quascunque Atque etiam per omnia et Singula Littora maris fluminaque publica portus, aquas dulces Rivos Creeas,ac brachia tam maris quam fluminum et Costerias quacunque dictorum provinciae Nostrae Novi Eboraci et territoriorum eidem dependentium in America Viz: Coloniarum de Jersey orientali et occidentali, Provinciae Pennsilvaniae et Regionis Novi Castri, ac omnium Terrarum Tractuum et Territoriorum eisdem dependentium et partium maritimarum eorundem et eisdem adjacentium quarumcunque infra Libertates et ffrancheiss ac extra Committimus per praesentes ac concedimus, Cum potestate alium vel alios Deputatum sive deputatos quoties Tibi expediens visum fuerit Loco tuo in praemissis deputandi et Surrogandi Ac etiam cum potestate quoscunque alios officiarios et ministros pro dicto officio et exercitio ejusdem indictis provincia nostra Novi Eboraci et territorys eysdem dependentibus in America, Viz: Colonys de Jersey orientali et occidentali, provincia Pennsilvania et Regione Novi castri ac omnibus Terrarum Tractibus et territorys eisdem dependentibus et partibus maritimis eorundem et eisdem adjacentibus quibuscunque sub Te necessarias idoneos et opportunos (Judice Registrario et marrescallo exceptis) de Tempore in tempus nominandi per ficiendi ordinandi assignandi faciendi et constituendi (Salvo semper Jure Suprema Curiæ admiralitatis nostrae Angliae Nec Non Indicis et Registrary ejusdm Curiae, Quibus et eorum alteri in aliquo nolumus derogare per praesentes, Et Salvo Jure cujuscunque Laesi et gravati per aliquam Sententiam Definitivam, sive decretum Inter Locutorium in Curia vice admirallitatis provinciae nostrae Novi Eboraci et territoriorum eidem dependentium in America, Viz: Coloniarum de Jersey orientali et occidentali, provinciae Pennsilvaniæ et Regionis Novi Castri ac omnium terrarum tractuum et Territoriorum eisdem dependentium prædict ferendm ad Supremam Curiam admiralitatis nostrae Angliae prædict appelandi) Teque praefatum Benjaminum Fletcher armigerum Vice admirallum Commissarium ac Deputatum nostrum in Officio Vice admiralitatis in provincia nostra Novi Eboraci et territorys eidem dependens in America, Viz: Colonys de Jersey orientali et occidentali, provincia Pennsilvaniae et Regione Novi Castri ac omnibus terrarum tractibus et territorys eisdem dependentibus praedict et partibus maritimis eorundem et eisdem adjacentibus quibuscunque; Una cum omnibus et Singulis feodis proficinis advantagys, emolumentis Commoditatibus et pertinentys quibuscunque eidem officio Vice Admiralli Commissary et Deputati in dictis provincia nostra Novi Eboraci et Territorys eisdem dependens in America, Viz: Colonys de Jersey orientali et occidentali, provincia Pennsilvaniæ et Regione Novi Castri ac omnibus terrarum tractibus ac territorys eisdem dependentibus et partibus maritimis eorundem et eisdem adjacentibus quibuscunque Juxta ordinationes et statuta Supremae Curiae admirallitatis nostræ Angliae praedict debitis et spectantibus Ordinamus proficimus et deputamus per præsentes ad beneplacitum nostrum tantum modo duratur. Proviso tamen semper et subhac Lege et conditione Quod si Tu præfatus Benjaminus Fletcher armiger, Nos et Locum Tenentem nostrum supremae Curiae admirallitatis nostrae Angliae et indicta Curia et officialem principalem Commissariumque Generalum et Specialem ac ejusdem Curiae praessdentem et Indicem de omni eo quod de tempore in tempus vigore praesentium ſeceris, executus fueris, colligeris aut reciperis in praemissis vel praemissorum aliquo annuatim, Viz: in fine Cujuslibet anui inter festa Sancti Michaelis Archangeli et Omnium Sanctorum, Cum pleno et fideli Computo Superinde sub authentica forma conficiendo, ac Sigillo officy Nostri in Custodia tua renianente Sigillando debite non certificaveris et certiorem reddi ſeceris cum offertu, Extunc et post defaltam in ea parte, hujusmodi Litera nostrae Patentes de officio Vice admiralli prædict Tibi ut p^r ſertiri concessae vacua et irrita erunt nulliusque ro boris aut offertus, Mandantes omnibus et Singulis proceribus Justiciarys majoribus Vice Comitibus Capitianeis Senescallis Ballivis et Custodibus Goalarum et Carcerum nostrorum quorumcunque et Constabularys caeterisque ministris et fidelibus subditis et Ligeis nostris quibuscunque et eorum cuilibet tam infra Libertates sen ſrancheiss quam extra Quod Tibi et Deputato Tuo cuicunque alysque^d officiarys ejusdem vice admirallitatis nostrae in provincia nostra Novi Eboraci et territorys eidem dependentibus in America, viz: Colonys de Jersey orientali et occidentali, provincia Pennsilvaniae et Regione Novi Castri ac omnibus Terrarum tractibus et territorys eidem dependentibus prædict et partibus maritimis eorundm et eisdm adjacentibus quibuscunque per Te assignatis sen assignandis circa executionem praemissorum et eorum cujuslibet intendentes ſaventes auxiliantes parentes pariteret obedientes sint in omnibus prout decet sub poena juris et periculo incumbens. Datum Londini in Suprema Curia admirallitatis nostrae Angliae sub sigillo ejusdem magno.

Decimotertio die mensis, } Regnique Nostri Quarto. }	Anno Dui Millesimo Sextentesimo nonagesimo secundo.

ORLANDO GEE, Reg. Eius.

BENJAMIN FLETCHER, Captain Generall & Governour in Chief of the province of New-yorke, province of pennsilvania, Countrey of New Castle & the Territories & Tracts of land Depending theron. in America. Under their majesties, Wm. & Mary, by the grace of God. of England, Scotland, France & Ireland, King & Queen, defendrs of the faith, &c., To William Markham, Esq^r., Leiu^t Govern^r of pennsilvania & the Countreys of New Castle, greeting: By virtue of the power & authoritie granted me by our Soveraign Lord & Lady, Wm. & Mary, by the grace of God, of England, Scotland, france & Ireland, king & Queen, defendrs of the faith, &c., under the great seal of their Admiralty, Constituting & appointing me Vice Admirall of the province of New yorke, Colonyes of East & West Jersey, province of pennsilvania et Countries of New Castle, &c.: And reposing speciall trust in yor fidelitie in this behalf, I doe by these presents Constitute

& appoint you my deputy or Surrogate in the sd office of vice admirall, so farr as it is extended over the s^{d} province of pennsylvania & Countrey of new castle, And doe by these p'nts give & grant unto you, the s^{d} Wm. Markham, full power and authoritie to doe, execute & perform all things which I my selfe might Lawfullie doe, by virtue of the s^{d} office of vice admirall, so farr as it is extended over the province of pennsilvania & Countrey of New Castle afors^{d}, according to the Severall powers, authorities & directions contained in my Commission for the s^{d} office of vice admirall as aforesaid, (which I have Caused to be registred in the province of pennsilvania,) & such other instructions as you shall from time to time receive from mee, undr my hand: provided alwayes, that you shall from time to time transmitt unto me a true & exact acco^{t} of all what you shall doe, execute or perform, by virtue of these presents. Given undr my hand & seal att Philadelphia, the 17th day of May, in the 5th year of their maties' reign, Annoque domi., 1693.

BEN. FFLETCHER.

His Excellency BENJ^{n} FLETCHER, his Commission und^{r} the great Seal of England, to be Cap^{t} Generall and Governo^{r} in Cheif in and over their Maties. Province of Pennsilvania & Countrie of New Castle, &c.

William and Mary, by the grace of God, King and Queene of England, Scotland, France and Ireland, defenders of the faith, &c. To Our Trusty and well beloved Benjamin ffletcher, Esquire, our Captaine Generall and Governo^{r} in Chiefe of our province of New Yorke, and the Territories depending theron, in America, Greeting:

Whereas, by Our Commission, under our great Seale of England, bearing date the eighteenth day of March, in the fourth yeare of our Reigne, Wee have Constituted and appointed you, the said Benjamin ffletcher, to be our Captaine Generall and Governo^{r} in Chiefe in and over our Province of New Yorke, and the dependencies thereon, in America: And have thereby granted unto you full power and authority, with the advice and Consent of our Councill, as need shall require, to Summon and Call Generall Assemblies of the Inhabitants, being ffreeholders, within our said province, according to the usage of our province of New Yorke: And that the persons thereupon duely Elected by the major part of the ffreeholders of the respective Counties & places, and soe returned, and haveing before theire Sitting taken the oathes appointed by act of Parliament to be taken, in Stead of the oathes of Allegiance and Supremacy, and Subscribed the Test, and without takeing and Subscribing whereof none shall be capable of Sitting, tho' elected, shall be called and held the Generall Assembly of that our said province: And have thereby granted unto you, the said Benjamin ffletcher, by and with the Consent of our said Councill and Assembly, or the major part of them, full power and authority to make, constitute and ordaine Lawes, Statutes and ordinances, for the publick peace, welfare, and good government of our said province, and of the people and Inhabitants thereof; which said

Lawes, Statutes and ordinances, are to be (as neare as may be) agreeable to the Laws and Statutes of this our kingdome of England: Provided, that all such Lawes, Statutes and ordinances be within three months, or Sooner, after the making therof, Transmitted unto us, under our Seale of New Yorke, for our approbation or disallowance of the same; And in Case any or all of them, being not before Confirmed by us, Shall att anie time be disallowed and not approved, and soe Signified by us, our heires & Successors, under our, or their Signe manuall or Signett, or by order of our, or their, privy Councill unto you, the said Benjamin ffletcher, or to the Commander in Chiefe of our province of New Yorke for the time being, Then such & soe many of them as shall be soe disallowed and not approved, Shall from thenceforth cease, determine, and become utterly void and of none effect. And to the end that nothing may be passed or done by our said Councill or Assembly, to the prejudice of us, our heires and Successors, Wee have thereby willed & ordained that you, the said Benjamin ffletcher, shall have and enjoy a Negative Voice in the makeing and passing of all Lawes, Statutes & ordinances, as aforesaid: And that you shall & may likewise, from time to time, as you shall judge it necessary, adjourne, prorogue and Dissolve all Generall Assemblies, as aforesaid; With full power and authority from time to time, by your Self, or by any other to be authorized by you in that behalf, to administer and give the Oathes appointed by act of Parliament to be taken in stead of the Oaths of allegiance and Supremacy, to all and every such person or persons, as you shall thinke fitt, who shall att any time or times passe into our said province, or shall be resident or abiding there; and with the advice and consent of our Said Councell, to Erect, constitute and establish Courts of Judicature and publick Justice within our said province, and for the hearing and determining of all Causes, as well Criminall as Civill, according to Law and Equitie, and for awarding of Execution thereupon, with all reasonable and necessary powers, authorities, fees and priviledges belonging unto them: As also, to appoint and Commissionate fitt persons in the Severall parts of our said province, to administer the Oaths appointed by act of parliament to be taken instead of the oathes of allegiance and Supremacy, and the Test, unto such as shall be obliged to take the same: And also, to Constitute and appoint Judges, Justices of the peace, and other necessary officers and ministers in our said province, for the better administration of Justice and putting the Lawes in execution, and to administer, or cause to be administerd, such Oath or Oaths as are usually given for the due execution and performance of offices and places, and for the clearing of Truth in Judiciall Causes. And Whereas, wee judge it necessary that all our Subjects may have Liberty to appeale to our Royall person in Civill Causes that may deserve the same, Wee have thereby further signified our pleasure, that if either party shall not rest Satisfied with the judgment or Sentence of the Superior Courts of our said province, They may then appeale unto us in Our privy Councill, provided the matter in difference exceed the reall value and Sum of three hundred pounds Sterling, and that such appeale be made within one ffortnight after sentence, and that security be Likewise duely given by the appellant, to answer such charges as shall be awarded in Case the first sentence shall be confirmed: And provided also, that execution be not suspended by reason of any such appeale unto us, And where you shall judge any offender or offenders in Criminall matters, or for any ffines or fforfeitures, fitt objects of our mercy, you have full power and authority to pardon and remitt such offences, ffines and fforfeitures, before or after sentence given, Treason and willfull murther onely excepted; In which Cases, upon extraordinary occasions, you are to grant reprieves to the offenders untill our Royall pleasure may be knowne therein. And Whereas, by our said Commission, wee have given & granted unto you, the said Benjamin ffletcher, by yourself, your Captaines, & Commanders, by you to be authorized, full power and authority to Levy, arme, muster, Command and employ all persons whatsoever, residing within our said province, under your government; and as occasion shall serve, them to Transferr from one place to another, for the resisting and withstanding of all enemies, pirates and rebells, both att Sea and Land, and to transport such forces to anie of our plantations in America, as occasion shall require, for the defence of the same against the invasion or attempts of any of our enemies; And to execute martiall Law in time of invasion, insurrection or warre, and during the continuance of the same, as also upon Soldiers in pay, and to doe and execute all and every other thing and things which to a Captaine Generall Doth or ought of right to belong; And also, to erect, raise and build in our said province, such fforts, plattforms, Castles, Citys, Boroughs, Townes & ffortifications, as you, by the advice aforesaid, shall judge necessary; and the same, or any of them, to fortify and furnish with Ordnance, Ammunition, and all sorts of armes, fitt and necessary for the securify and Defence of our said Province: And Whereas, wee have thereby further given and granted to you, the said Benjamin ffletcher, ffull power and authority to Erect one or more Court or Courts admirall within our province of new yorke, for the hearing and determining of all Marine and other causes, & matters proper therein to be heard, with all reasonable and necessary powers, authorities, ffees and priviledges; and to exercise all powers belonging to the place & office of Vice admirall of and in all the seas and coasts about our said province, according to such Commission, authority and instructions as you shall receive from our selfe, under the seal of our admiralty, or from our High admirall, or Commissioners for executing the office of High admirall of our fforeigne plantations, for the time being; And to Order and appoint ffaires, marts and marketts; as also, such and so manie ports, Harbours, Bayes, havens and other places for the Convenience and Security of Shipping, and for the better Loading and unloading of goods & merchandizes, as by you, with the advice and consent of our said Councill, shall be thought fitt and necessary; And in them, or anie of them, to erect, Nominate and appoint Custome houses and officers relating thereunto, and them to alter, change, place or displace, from time to time, as with the advice aforesaid shall be thought fitt, with severall other powers & authorities granted & appointed you by our said Commission, for the good governing & for the Defence and security of our sd province of New Yorke, and Inhabitants thereof.

And Whereas, by reason of great Neglects and miscarriages in the government of our province of Pennsilvania in America, and the absence of the proprietor, the same is fallen into Disorder & confusion By meanes whereof not onely the publick peace & administration of Justice (whereby the properties of our subjects should be preserved in those parts) is broken and violated, But there is also great want of provision for the Guard & defence of our said province against our enemies, whereby our said province, & the adjacent Colonies, are much exposed, and in Danger of being Lost from the Crowne of England: For the prevention whereof, as much as in us Lies, and for the better defence and security of our Subjects Inhabiting those parts During this time of warr, Wee find it absolutely necessary to take the government of Our province of Pennsylvania into our owne hands, and under our Immediate care and protection. Wee therefore, reposing especiall Trust and Confidence in the prudence, courage and Loyalty of you, the said Benjamin ffletcher, Have thought fitt to constitute and appoint you, the said Benjamin ffletcher, to be our Captaine Generall and Governor in Chiefe in and over our province of Pennsilvania and Countrey of New Castle, and all the tracts of Land depending thereon in America: And wee doe accordinglie, by these presents, Command and require you to take the said province & Countrey under your government; And for the better Ordering governing and ruling our said province & Countrey, and the Tracts and Territories Depending theron, Wee doe hereby give and grant unto you, the said Benjamin ffletcher, all & every the Like powers and authorities as in our said Commission, bearing date the eighteenth day of March, in the fourth yeare of our reigne, are given, granted and appointed you for the ruleing and governing our province of New Yorke, to be exercised in Like manner, by you, the said Benjamin ffletcher, in and over our said province of Pennsilvania and Countrey of New Castle, and the Territories & tracts of Land depending theron, in America: And Wee Doe hereby require and Command you to doe and execute all things in due manner, that shall belong unto your said Command, and the Trust wee have reposed in you, according to the severall powers and directions granted or appointed you by this present Comission, or our Commission aforesaid, and such other Instructions & authorities as are, or att anie time hereafter shall be granted or appointed you, under our Signett & Signe manuall, or by our order in our privy Councill, and according to such reasonable Lawes and Statutes as now are in force, or hereafter shall be made and agreed upon by you, with the advice and consent of the Councill and Assembly of our province of Pennsilvania and Countrey of New Castle aforesaid: And Our Will and Pleasure is, and wee doe by these presents require and Command you, the said Benjamin ffletcher, untill our further pleasure shall be knowne, to nominate and appoint a Leiutenant Governo^r of our said province of Pennsilvania and Countrey of New Castle, unto which Leiutenant Governo^r wee doe hereby give and grant full power and authoritie to doe and execute whatsoever hee shall be by you authorized and appointed to doe, in pursuance and according to the powers & authorities hereby granted unto you. AND OUR FURTHER WILL AND PLEASURE IS, and wee doe by these presents, Require and Command you in Like manner to nominate and appoint such & so many Councellors as you shall thinke requisite for our service, not exceeding the Number of Twelve persons att the most, out of the principall ffreeholders & inhabitants of our said province and Countrey, which said Councellours, or anie three of them, shall be att all Times held and deemed a Councill to be ayding and assisting to you, and to our Leiutenant Governo^r, with their advice, in the administration of the publick affaires of that our province and Countrey. AND WEE DOE hereby give and grant unto you full power and authoritie from time to time to suspend such our Leiutenant Governo^r, or anie of the members of our Councill, soe appointed by you, from their respective places and Trusts, if you shall find just Cause for soe doeing, & to appoint others in their stead: AND WHEREAS, wee Have been informed of the good affection of the Inhabitants of our Colonies of East and West New Jersey in America, and that the militia of these Colonies Consist of ffourteene hundred men, well armed & disciplined; And it being Convenient in this time of danger, that the forces of our Subjects inhabiting those parts be united as much as may be upon all occasions that may require the same, Wee have therfore thought fitt, and wee doe by these presents grant full power & authority to you, the said Benjamin ffletcher, and to the Governo^r & Commander in Chiefe of our province of Newyorke, for the time being, for & during this present warr between Us and the ffrench King, to draw out and Command anie part of the militia of our Colonies of East and West New Jersey in America, not exceeding Seaven hundred men att anie one time; and to cause them to march out of our said Colonies, for the security or defence of Newyorke or Albany, or anie other parts or places of our province of Newyorke, under your Government, in case of anie Invasion, Insurrection, or attempt of the ffrench or Indians upon our said province, or anie part thereof. AND WEE DOE hereby require & Command all officers and ministers, Civill & Military, and all other the inhabitants of Our province of Pennsilvania and Countrey of New Castle, and our Colonies of East & west New Jersey, respectively, to be obedient, ayding & assisting unto you, the said Benjamin ffletcher, in the execution of this our Commission, and the powers & authorities herein contained. And in Case of your death, or absence outt of our province of Newyorke and pennsilvania, our Countrey of New Castle, and our Colonies of East & West New Jersey, To be obedient, ayding & assisting to such person as shall be appointed by us to be Commander in Chiefe of our province of Newyorke for the time being; To whom wee doe therfore, by these presents, give & grant, all & singular, the powers and authorities aforesaid, to be executed and enjoyed by him for and during our pleasure, or untill your arrivall within our province and Countreys aforsd. And if upon such death or absence, there be no person residing within our said provinces or Countreys, Commissionated or appointed by us to be Commander in Chiefe of our province of Newyorke, OUR will & pleasure is, that the then present Councill of Newyorke doe take upon them the administration of the Government of our province of Pennsilvania and Countrey of New castle, and execute this Commission, and the powers and authorities herein contained, in Like manner as in the government of our province of Newyorke. AND LASTLY, wee doe, by these presents, declare and appoint That you, the said Benjamin ffletcher, shall and may hold, exercise and enjoy the office and place of Captaine Generall and Governor in Chiefe in and over our province of Pennsilvania and Countrey of New castle, and the Territories and Tracts of Land depending theron, in America, during our will and pleasure. IN WITTNESSE wherof, wee Have Caused our Letters to be made patents. WITTNESSE Our Selves, att Westminster, the One and Twentieth day of October, in the fourth yeare of our Reigne.

Per Bre. De privato Sigillo,

CHUTE.

His Excellency BENJⁿ FLETCHER, his Comission und^r the great Seal of England, To be Cap^t Generall & Governo^r in Chief In and over their Maties province of New-york, &c.

William and Mary, by the Grace of God, King and Queene of England, Scotland, ffrance and Ireland, defenders of the faith, &c: To OUR TRUSTY and well beloved Benjamin ffletcher, Esquire, Greeting. WEE Reposing especiall Trust and Confidence in the prudence, Courage & Loyalty of you, the said Benjamin ffletcher, out of our especiall Care, Certaine knowledge and meere motion, Have thought fitt to Constitute & appoint, And we doe by these presents Constitute and appoint you, the said Benjamin ffletcher, To be our Captain Generall and Governo^r in Chiefe in and over our province of Newyorke, and the Territories depending theron, in America: And Wee doe hereby Require and Command you to doe and execute all things in due manner that shall belong unto your said Command, and the Trust wee have reposed in you, according to the severall powers and directions granted or appointed you by this present Commission, and the Instructions herewith given you, or by such further powers, instructions and authorities, as Shall att anie time hereafter be granted or appointed you, under our Signett and Signe manuall, or by our order in our privy Councill, and according to such reasonable Laws and Statutes as now are in force, or hereafter shall be made and agreed upon by you, with the advice and Consent of the Councill & Assembly of our said province, under your government, in such manner and forme as is hereafter expressed: AND WEE DOE hereby Give and Grant full power unto you, the said Benjamin ffletcher, after you have first taken an Oath for the due execution of the office and Trust of our Captaine Generall and Governo^r in Chiefe, in and over our said province of Newyorke & the territories Depending theron, which our said Councill, or any five of them, have hereby full power and authority, and are required to administer unto you, To give and administer to each of the members of our said Councill, as well the oathes appointed by act of parliament to be taken in stead of the oathes of allegiance and Supremacie, as the Test, and the oath for the due execution of their places & Trust; AND WEE DOE hereby Give and grant unto you full power & authority to Suspend any of the members of our said Councill from Sitting, voting and assisting therein, if you shall find just cause for so doeing; And if it shall att anie time happen that by the death, departure outt of our said province, or suspension of anie of our Councillers, there shall be a vacancie in our said Councill, Anie three wherof wee doe hereby appoint to be a Quorum, OUR WILL AND PLEASURE IS, That you Signify the same unto us by the first opportunity, that wee may, under our Signett and Signe Manuall, Constitute and appoint others in their stead: But that our affairs att that distance may not suffer for want of a due number of Councillors, if ever it shall happen that these be lesse then Seaven of them, residing in our said province, Wee doe hereby give and grant unto you full power and authoritie to Choose as manie persons outt of the principall ffreeholders, Inhabitants therof, as will make up the full number of our said Councill to be seaven, and no more; Which persons, by Virtue of such Choice, shall be to all Intents and purposes, Councillors in our said province untill they shall be Confirmed by us, or that by the Nomination of others by us, under our Signe Manuall & signet, the said Councill shall have seaven persons in it. WEE DOE HEREBY GIVE AND GRANT unto you full power & authoritie, with the advice and Consent of our said Councill, from time to time, as need shall require, to Summon and Call Generall Assemblies of the inhabitants, being ffreeholders, within your government, according to the usage of our Colony of Newyorke: AND OUR WILL AND PLEASURE IS, that the persons thereupon duely elected by the major part of the ffreeholders of the respective Countys and places, and so returned, and having before their Sitting taken the oathes appointed by act of parliament to be taken, instead of the oathes of allegiance and Supremacy, and Subscribed the Test, which you shall Commissionate fitt persons under our seal of newyorke to administer, & without taking and subscribing whereof, none shall be Capable of sitting: the elected Shall be called & held the Generall Assembly of that Our province & Territoryes depending theron. And that you, the said Benjamin ffletcher, by and with the Consent of Our said Councill and assembly, or the major part of them respectively, shall have full power & authoritie to make, Constitute and ordaine Lawes, Statutes and ordinances for the publick peace, wellfare & good government of our said province, and of the people and Inhabitants thereof, & such others as shall resort therto, and for the benefit of us, our Heirs and successors, Which said Lawes, statutes and ordinances, are to be as neer as may be, agreeable to the Lawes and statutes of this our kingdome of England: PROVIDED, that all such Lawes, statutes and ordinances, of what nature or duration soever, be within three months, or sooner, after the making thereof, transmitted unto us, Under our seale of Newyorke, for our approbation or disallowance of the same, as also duplicates thereof, by the next Conveyance; And in Case anie, or all of them, being not before Confirmed by us, shall att anie time be Disallowed and not approved, and so signified by us, our heirs and successors, under our or their signe manuall and signet, or by order of our or their privy Councill, unto you, the said Benjamin ffletcher, or to the Commander in Chiefe of our said province for the time being, then such and so many of them as shall be so disallowed and not approved, shall from thenceforth Cease, determin, and become utterly voyd and of none effect; Any thing to the Contrary thereof notwithstanding.

AND to the end nothing may be passed or done by our said Councill or assembly to the prejudice of us, our heirs and successors, WEE will and ordain, That you, the said Benjamin ffletcher, shall have and enjoy a negative voyce in the making and passing of all Lawes, statutes and ordinances, as aforesaid, and that you shall & may, Likewise, from time to time, as you shall Judge it necessary, adjourne, prorogue & Dissolve all generall assemblies as aforesaid. Our Will and Pleasure is, that you shall and may keepe and use the publick seale appointed or to be appointed by us for our province of Newyorke: Wee doe further give and grant unto you, the said Benjamin ffletcher, full power and authority, from time to time, and att any time hereafter, by yourselfe or by anie other to be authorized by you, in that behalfe, to administer & give the oathes appointed by act of parliament to be taken in stead of the oathes of allegiance and supremacie, to all and every such person or persons as you shall think fitt, who shall att anie time or times passe into our said province, or shall be resident or abideing there. AND WEE DOE by these presents, Give and grant unto you full power & authoritie, with the advice and consent of our said Councill, to erect, constitute and establish such and so manie Courts of Judicature and publick justice within our said province and the Territories under your government, as you & they shall think fitt & necessarie for the hearing and determining of all causes, as well Criminall as Civill, according to Law and equitie. And for awarding of execution therupon, with all reasonable and necessarie powers, authorities, ffees and privileges belonging unto them: As also to appoint and Commissionate fitt persons in the severall parts of your Government to administer the oathes appointed by act of parliament to be taken instead of the oaths of allegiance and supremacy, and the Test, unto such as shall be obliged to take the same. AND WEE DOE hereby authorize and Impower you to Constitute and appoint Judges, Justices of the peace, and other necessarie officers and ministers in our said province, for the better administration of Justice, and putting the Laws in execution, And to administer, or Cause to be administred, Such Oath or oathes as are usually given for the due execution and performance of offices and places, and for the clearing of Truth in Judiciall causes: WEE DOE further by these presents, will and require that appealls be permitted to be made in Cases of error, from our Courts in Newyorke unto our Governo^{r}, and to our Councill in Civill Causes; provided the value appealed for doe exceed the sum of One hundred pounds sterling; and that security be first duely given by the appellant, to answer such Charges as shall be awarded in Case the first sentence shall be affirmed. AND WHEREAS, wee doe Judge itt necessary that all our subjects may Have Libertie to appeale to Our Royall person in Cases that may deserve the same, Our Will and pleasure is, that if either party shall not rest satisfied with the Judgment or sentence of Our Governo^{r} and Councill, They may then appeale unto Us in Our privy Councill, provided the matter in differance exceed the reall value & sum of three hundred pounds sterling; And that such appeale be made within one ffortnight after sentence, and that security be likewise duely given by the appellant, to answer such Charges as shall be awarded, in Case the sentence of the Governo^{r} and Councill be Confirmed: And provided also, that execuon be not suspended by reason of anie such appeale unto us. AND WEE DOE hereby give and grant unto you full power and authority, where you shall Judge any offender or offenders in Criminall matters, or for anie ffynes or fforfeitures, fitt objects of our mercy, To pardon and remitt all such offenders' ffynes and fforfeitures, before or after sentence given, Treason and willfull murther only excepted; In which Cases you shall Likewise have power, upon extraordinary occasions, to grant Reprieves unto the offenders untill our Royall pleasure may be knowne therein. WEE DOE by these presents, authorize and Impower you to Collate any person or persons, in anie Churches, Chappells, or other Ecclesiasticall Benefices within our said province and Territory aforesaid, as often as anie of them shall happen to be voyd. WEE DOE Hereby give and grant unto you, the said Benjamin ffletcher, by your selfe, your Captaines and Commanders by you to be authorized, full power and authoritie To Levy, Arme, muster, Command and employ all persons whatsoever, residing within our sd province of Newyorke, and other the Territories under your government, and as occasion shall Serve, them to Transferr from one place to another, for the resisting and withstanding of all enemies, pyratts, and rebells, both att sea and att land, and to Transport such force to anie of our plantations in America, as occasion shall require, for the defence of the same against the invasion or attempts of anie of our enemies; and them, if occasion shall require, to prosecute, in or outt of the Limmitts of our said province and plantations, or anie of them; and if it shall so please God, them to vanquish, apprehend and take, and being taken, either, according to the Law of armes, to putt to death, or keepe and preserve alive, att your discretion; and to execute martiall Law in time of invasion, insurrection or warr, and during the continuance of the same, as also upon Souldiers in pay, and to doe and execute all and every other thing or things which to a Captain Generall doth or ought of right to belong, as fullie and amplie as anie our Captain Generall doth or hath usually done. AND WEE DOE hereby give and Grant unto you full power and authoritie to erect, raise and build in our said province & Territories depending theron, such and so manie fforts, platformes, Castles, Cityes, Boroughes, Townes and ffortifications, as you, by the advice aforesaid, shall judge necessary; And the same, or anie of them, to ffortify and furnish with Ordnance, ammunition, and all sorts of armes, fitt & necessary for the securitie and defence of our said province: AND WEE DOE hereby Give and Grant unto you, the said Benjamin ffletcher, full power and authoritie to

Erect one or more Court or Courts Admirall within our said province and Territories, for the Hearing and determining of all marine and other Causes, and matters proper therin to be heard, with all reasonable and necessarie powers, authorities, ffees and priviledges; As also to exercise all powers belonging to the place and office of Vice admirall of and in all the seas & Coasts about you Government, according to such Commission, authorities & Instructions as you shall receive from our Selfe, under the seal of our admiralty, or from our High admirall or Commissioners, for executing the office of High admirall of our forreigne plantations for the time being. AND FOR AS MUCH as divers mutinyes and disorders doe happen by persons shipped and employed att sea, And to the end that such as shall be Shipped or employed att sea may be the better governed and ordered, WEE DOE Hereby Give and grant unto you, the said Benjamin ffletcher, our Captaine Generall and Governo^r in Cheife, full power & authoritie to Constitute and appoint Captains, masters of Shipps, and other Commanders, and to Grant to such Captains, masters of Shipps and other Commanders, Commissions to execute the Law martiall, and to use such proceedings, authorities, punishment, Correction and execution, upon anie offender or offenders which shall be mutinous, seditious, disorderlie, or anie way unruly, either att sea or During the time of their abode or residence in anie of the ports, harbours or Bays of our said province or Territories, as the Cause shall be found to require, according to the martiall Law: PROVIDED, that nothing herein contained shall be Construed to the enabling you, or anie by your authority, to hold plea, or have jurisdiction of anie offence, cause, matter or thing Committed or done upon the High sea, or within anie of the Havens, Rivers or Creeks of our sd province or Territories under your government, by anie Captaine, Commander, Leiutenant, master, or other officer, Seaman, Soldier, or person whatsoever, who shall be in actuall Service and pay in and on Board anie of our shipps of warr, or other vessels acting by Immediate Commission or warrant from our Commissioners, for executing the office of our High admirall of England, under the seale of our Admiralty, or from our High admirall of England for the time being: And that such Captaine, Comander, Leiutenant, master, officer, Seaman, Soldier, and other persons so offending, shall be left to be proceeded against and tryed, as the meritt of their offences shall require, either by Comission under our great seale of England, as the Statute of the eight & twentieth of Henry the eighth directs, Or by Comission from our said High admirall, according to the act of parliament passed in the Thirteenth yeare of the Reign of the Late king Charles the second, Entitled an act for the establishing articles & orders for the regulating & better Government of his majesties navyes, shipps of warr, & forces by sea, and not otherwise; saving onely, that it shall & may be Lawfull for you, upon anie such Captaine or Commander refusing or neglecting to execute, or upon his negligent or undue execuon of anie of the written orders hee shall receive from you, for our service and the service of our sd province, to suspend him, the said Captaine or Commander, from the exercise of his said office of Commander, and Committ him into Safe

Custody, either on board his owne Shipp or elsewhere, att the discretion of you, in order to his being brought to answer for the same, by Comission, under our great seale of England, or from our High Admirall, as is before expressed; In which Case, our will and pleasure is, that the Captaine or Commander so by you suspended, shall, During such his suspension and Committment, be suceeded in his sd office by such Comission or warrant officer of our said shipp, appointed by our Commissioners for executing the office of our High admirall of England, or by our High admirall of England for the time being, as by the knowne practice and discipline of our Navy does and ought next to succeed him, as in Case of death, sicknesse, or other ordinary disabilitie happening to the Commander of anie of our shipps of warr, and not otherwise; you standing also accountable to us for the Truth and Importance of the Crimes and misdemeanors for which you shall so proceed to the suspending of such our said Captain or Commander: Provided Also, that all such disorders and misdemeanors Committed on shoare by anie Captaine, Comander, Leiutenant, master, or other officer, seaman, souldier, or person whatsoever, belonging to anie of our shipps of warr or other vessell, acting by Immediate Commission or warrant from our Commissioners, for executing the office of our High admirall of England, under the Seale of our Admiralty, or from our High Admirall of England, for the time being, may be tryed and punished according to the Lawes of the place where anie such disorders, offences and misdemeanors shall be so Committed on shoare, notwithstanding such offender be in our actuall service, and borne in our pay, on Board anie such our shipp of warr, or other vessell, acting by Immediate Commission or warrantt from our Commissioners, for executing the office of our High admirall, or from our High admirall as aforesaid; so as hee shall not receive any protection for the avoyding of Justice for such offences Committed on shoare, from anie pretence of his being employed in Our Service att sea. AND OUR WILL AND PLEASURE IS, That all publick moneys raised, or to be raised, within our said province and other the territories under your Government, be Issued out by warrant from you, by and with the advice and Consent of the Councill, and disposed of by you for the Support of the Government, and not otherwise. AND WEE DOE hereby Likewise Give and Grant unto you full power and authoritie, by and with the advice and Consent of our said Councill, to agree with the inhabitants of our province and Territories aforesaid, for such Lands, Tenements and Hereditaments as now are, or hereafter shall be in our power to dispose of, And them to grant unto anie person or persons, for such Terme, and under such moderate Quitt rents, services and acknowledgments, to be therupon reserved unto us, as you, by and with the advice aforesaid, shall think fitt. Which said grants are to passe and be sealed by our seale of Newyorke, and being entred upon Record by such officer or officers as you shall appoint thereunto, shall be good and effectuall in Law, ag^{t} us, our Heirs and successors. AND WEE DOE Hereby Give you full power to order and appoint ffaires, marts & marketts, as also such and so many ports, Harbours, Bays, Havens, and other places for the Convenience of shipping, and for the better Loading and Unloading of goods and merchandizes as by you, with the advice and Consent of the said Councill, shall be thought fitt and necessarie, and in them, or anie of them, to Erect, nominate and appoint Custome Houses, warehouses, and Officers relating thereunto; and them to alter, Change, place or displace, from time to time, as with the advice aforesaid shall be thought fitt; AND WEE DOE by these presents will, require and Command you to take all possible care for the discountenance of vice, and encouragement of virtue and good Living, that by such examples the Infidells may be invited and desired to partake of the Christion Religion. AND OUR FURTHER WILL AND PLEASURE IS, that you shall not att anie time hereafter, by Colour of any power or authority hereby granted, or mentioned to be granted, take upon you to Give, grant or dispose of anie officer or place within our sd province and Territories which now are, or shall be granted under the great seal of England, any further then that you may upon the Vacancy of any such office, or suspension of any officer by you, putt in any person to officiate in the intervall untill the said place be disposed of by us under the great Seal of England, or that our directions be otherwise given therein. AND WEE DOE Hereby require and Command all officers and ministers, Civill and military, and all other Inhabitants of our said province and the Territories depending theron, to be obedient, ayding and assisting unto you, the said Benjamin ffletcher, in the execution of this Our Commission, and of the powers and authorities therein contained: And in Case of your death, or absence outt of our said province and Territories under your government, Unto such person as shall be appointed by us to be Commander in Chiefe of our said province, To whom wee doe therfore, by these presents, give and grant all and singular, the powers and authorities aforesaid, to be executed and enjoyed by him during our pleasure, or untill your arrivall within our said province and Territories: AND if upon such death or absence, there be noe person upon the place Commissionated or appointed by us to be Commander in Chiefe, OUR WILL AND PLEASURE IS, that the then present Councill of our said province, doe take upon them the administration of the government, & execute this Commission, and the severall powers & authorities herein Contained, relating to our said province, and that the first Councillor who shall be att the Time of your death or absence, residing within the same, doe preside in our said Councill, with such powers and preheminences as anie former president hath used and enjoyed within our said province, or anie other our plantations in America, untill our pleasure be further knowne, or your arrivall, as aforesaid. AND LASTLY, wee doe Hereby declare, ordain and appoint, That you, the said Benjamin ffletcher, shall and may Hold, execute and enjoy the office and place of Captaine Generall and Governo^r in Chiefe, in and over our province of Newyorke and the Territories depending thereon, together with all & Singular, the powers and authorityes hereby Granted unto you, for and during our will and pleasure.

IN WITTNESSE WHEREOF, wee have Caused these our Letters to be made patents. WITNESSE Our selves att Westminster, the eighteenth day of March, in the fourth yeare of our Reigne.

per Breve de privato Sigillo.
CHUTE.

PENNSILVANIA, SS.

Minutes and Orders of Councill, from the arrivall of his Excellency, BENJAMIN FFLETCHER, Captain Generall and Governo^r^ in Chiefe of the province of Newyorke, province of Pennsilvania and Countrey of New castle, And the Territories and Tracts of Land depending theron, in America. In philadelphia the 26th of Aprill, in the fifth year of the Reign of our Soveraign Lord & Lady, WILLIAM & MARY, by the Grace of God, of England, Scotland, ffrance and Ireland, king & Queen, defenders of the faith, &c.

[26th Aprill, 1693.

Wednesday, Att Philadelphia, the 26th of Aprill, 1693

His Excellency arrived here between the Hours of eleven and twelve in the forenoone, and being Conducted by the Sheriffe to the mercate place, Caused their Majesties' Letters patents for the Government of pennsilvania and New Castle, to be publicly read.

His Excell. having sent for Thomas Lloyd, the Late Deputy Governo^r^, did offer unto him the first place in the Councill, which he did refuse.

2 A CLOCK, AFTERNOONE.

William Markham, Esq^r^. took the Oaths appointed by act of parliament to be taken in stead of the oaths of allegiance and Supremacy, & Test, and afterwards the oath of a Councillor for the said province and Councill, and by his Excell. direction, took the first place in the Councill.

Andrew Robesen and Robert Turner did subscribe the Test, the declaration of fidelitie, and profession of the Christian faith, and afterwards did promise to performe the Substance contained in the oath of a Councillor, as in the presence of God, and by his Excell. appointment, took their places att the Councill board.

Patrick Robinson took the Oaths & Test, and oath of a Councillor, and his place att the Councill board, by his Excell. direction.

Att a Councill Held att philadelphia on a Wednesday the 26th of Aprill, 1693.

PRESENT:

His Excell. BENJAMIN FFLETCHER, &c.

Wm. Markham,
Andrew Robeson, Esqrs.
Robert Turner,
Patrick Robinson, Esqrs.

His Excell. did desire that the members of Councill would resolve into a Committee, to Consider of persons within the province of pennsilvania & Countrey of New Castle, that are qualified to be Judges, Justices of the peace, sheriffes, and other officers, throughout the Severall Counties; which was ordered accordingly.

John White, Sheriffe, being demanded what prisoners hee held, did deliver a warrant by which hee held peter Boss in the Common goale, for making an Escape & not paying a fine of six pounds, including Costs; which was read.

His Excell. did Order That the members of Councill be in the Commission of the peace throughout the whole province and Countrey.

Adjourned till 8 a Clock the morrow morning.

[27th Aprill, 1693.

Att a Councill held att Philadelphia on a Thursday the 27th of April, 1693.

PRESENT:

His Excell. BENJAMIN FFLETCHER, &c.

Wm. Markham,
Andrew Robeson,
Robert Turner, Esqrs.
Lawrence Cock,
William Salway, Esqr.

Lawrence Cock being Called to this Board, Had the oaths and Test, and Oath of a Councillor administered to him, and took his place att the board.

William Salway did Subscribe the declarations & profession of the Christian faith, and did promise to observe the substance of the oath of a Councillor, and by his Excell. order, took his place at the board.

His Excell. did nominate William Markham, Esqr., to be Leiutenant Governor, which was approved of by the whole Councill, who did return his Excell. thanks for that hee did appoint a Gentleman to be their Leiut Governor, of their particular knowledge and good affections.

The Councill did Return unto his Excell. a List of officers names whom they Judged qualified for Civill offices in the government, which was read & approved of,

His Excell. did Lay before the Councill That their matjes affairs did call him Speedily to the fronteers, in the province of Newyorke, The necessitie of calling an Assembly, and of their early meeting, Desiring their advice. The Councill doe advise his Excell. that the Least time can be allowed for their coming together is Sixteen or eighteen dayes.

His Excell. did also desire their advice and opinion Concerning the number of Representatives to be returned from each County : Which was variouslie given.

It being the former Custome of this province to have nine representatives for each County, different from the Custome of their maties province of Newyorke, where there are Two for each County,

Some did alledge that upon this suddain alteration, sundrie were therby disobliged, and a small number of Assemblymen might act with Lesse Courage for their maties service. Others doe advise his Excell. to Consult their maties Letters patents, and his Instructions for the government.

The Resolution therof is deferred till further advisement.

Upon the Reading the petition of peter Boss, the same is referred To Andrew Robeson, Robert Turner, and Lawrence Cock, Esqrs. to examine the petitioner's allegations, and make report therof to his Excell.

Adjourned to 3 a Clock afternoone.

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POST MERIDIEM.

Att a Councill Held att Philadelphia 27th Aprill, 1693, 3 a Clock afternoone.

PRESENT:

His. Excell. BENJAMIN FFLETCHER, &c.

WILLIAM MARKHAM, Esqr., Leiut Governor.

Andrew Robeson, Robert Turner, Esqrs. Patrick Robinson, Lawrence Cock, Esqrs.

His Excell. did again Require the advice of this board concerning the number of Representatives to be returned for each Countie.

RESOLVED, That writts Issue, returnable the fifteenth of May next, and that foure Representatives be returned for the County of philadelphia, foure for New Castle, and three for each of the other Counties.

Upon reading the petition of William Bradford, printer, directed to his Excell., wherin hee setts forth that in September Last his tooles and Letters were Seized by order of the Late Rulers, for printing some books of Controversie, and are still keept from him, to the great hurt of his family, and prays Reliefe. His Excell. did ask the advice of this board.

The Severall members of Councill being well acquainted with the truth of the petitioner's allegatons, are of opinion, and doe advise his Excell. To Cause the petitioner's tooles and Letters to be restored to him.

Ordered That John White, Sherriffe of Philadelphia, doe Restore to Wm. Bradford, printer, his tooles and Letters, taken from him in September Last.

Upon Reading an Order of the Late Governo^r^ & Councill, Concerning Jeremiah Elfreth, Thomas Groves and Thomas East, upon the Complaint of George Heathcote,

His Excell. did Order the Councill to Resolve themselves into a Committee, to examine and draw up their opinion of the matter therof, and to make returne therof, under their Hands.

Wm. Markham, Esq^r^. having received his taking of the Oath and Test, with the oath of Liev^t^ Governo^r^, did receive his Commission from his Excellency.

His Excell. did move that there be a Certain day of the weeke appoynted for a weekly Councill Day for the publick affairs of the Government.

Agreed, That Tuesday is most Convenient for the weekly Councill day.

[28th Aprill, 1693.

Att a Councill Held att philadelphia on Fryday the 28th Aprill, 1693.

PRESENT:

His Excell. BENJAMIN FFLETCHER, &c.

William Markham, Esq^r^., Leiv^t^ Governo^r^.

Andrew Robeson, Robert Turner,	Esq^rs^.	Patrick Robinson, Lawrence Cock,	Esq^rs^.

Pursueant to his Excell. Order yesterday, The Councill did return under their hands, their opinion of the order of the Late deputy Governo^r^ and Councill of the 20th of September, 1692, That it is unjust and Illegall.

Upon reading of the petition of Jeremiah Elfreth, Thomas Groves, & Thomas East, under Confinement by the said order of the Late deputy Governo^r^ & Councill,

Ordered the said three petitioners be discharged; and the said Jeremiah Elfreth, Thomas Groves and Thomas East, are hereby discharged from any bond or recognizance taken from them by virtue of the said order, with their suretyes.

Upon reading the petition of dirck Johnson, al^s^ Clauson, setting forth that hee, with his wife and Sister, stand Committed in Close prison, upon suspition of murder, where he hath continued twelve months, without the benefit of being brought to tryall,

Ordered that a Commission of Oyer and Terminer doe forthwith issue for the Tryall of the petitioners.

His Excell. Caused the petition of philip England to be read, wherin the petitioner setts forth that by the proprietarie's appointment hee is keeper of the ferry and Ordinarie att the Skuillkill, together with his warrantt and License, under Hand and Seal of Wm. penn, Esq^{r}., for soe doing.

His Excell. did Signifie unto this board, That for as much as the ferry was the propertie of the proprietary, hee would grant unto the petitioner his Confirman and License for the keeping of the same, and discharge all others from Transporting anie persons over the Skuillkill, neer the said ferry, for monie or reward, Untill the proprietarie's pleasure be knowen, which was approved, and some of the Councill, on behalfe of the proprietary, did return his Excell. thanks.

Joseph Wood, Esq^{r}., Sherriffe of Chester, and John Hill, Esq^{r}., Sherriffe of Sussex, had the oaths and Test, with the oath of a Sherriffe, administred unto them.

[29th Aprill, 1693.

Att a Councill Held att philadelphia on Saturuday the 29th of Aprill, 1693.

PRESENT:

His Excell. BENJAMIN FFLETCHER, &c.

WILLIAM MARKHAM, Esq^{r}., Leiv^{t} Governo^{r}.

Andrew Robeson, } Esq^{rs}.
Robert Turner, }
Lawrence Cock, } Esq^{rs}.
William Salway, }

John Claypoole, Esq^{r}., Sherriffe of philadelphia, and Israell Taylor, Sherriffe of Bucks, Had the oaths and Test, and oath of a Sherriffe, administred unto them.

[1st May, 1693.

Att a Councill Held att philadelphia on Moonday the 1st of May, 1693, att 5 a Clock in the morning.

PRESENT:

His Excell. BENJAMIN FFLETCHER, Esq^{r}.

WILLIAM MARKHAM, Esq^{r}., Leiv^{t} Governo^{r}.

Andrew Robeson, } Esq^{rs}.
Robert Turner, }
Patrick Robinson, } Esq^{rs}.
Lawrence Cock, }

His Excell. did Signifie to the Councill that hee was to goe this morning to New Castle, to publish their Maties' Letters patents; That hee thought it Convenient to Leave them here for the preservation of the peace; That hee hath appointed them Justices of the peace throughout the whole province, and therfore called them together to administer to them the oath of Justice of the peace, Leaving strict charge with them to maintain the peace here during his absence.

The Leiv^{t} Governo^{r} and Severall members of Councill, in different manner, had the oath of a Justice of peace administred to them.

[Att New Castle, 1st May, 1693.

Att New Castle the first day of May, 1693.

His Excell. being attended by the Leiv^{t} Governo^{r}, and militia in arms, att 12 a Clock went to the Townehouse and there published their Maties' Letters patents, which was followed with fireing of guns, great Shouting and joy.

Att a Councill Held att New Castle on Tuesday the 2^{d} of May, 1693.

PRESENT:

His Excell. BENJAMIN FFLETCHER, &c.

WILLIAM MARKHAM, Esq^{r}. Leiv^{t} Governo^{r}.

John Cann, }
Wm. Clark, } Esq^{rs}.

John Cann, Esq^{r}. took the oath and Test, and oath of a Councillor, and by his Excell. direction, his place att this board.

William Clarke, Esq^{r}., did Subscribe the Severall declarations provided for non Conformists by act of parliament, and did Solemlie promise to observe & fullfill the Substance of the oath of a privie Councillor, and was ordered by his Excell. to take place att the board.

POST MERID.

2 a Clock afternoone, presentibus Iisdem.

John Cann, Esq^{r}., and Wm. Clarke, Esq^{r}., had the oath of a Justice of the peace for the whole province and Countrey administred unto them in different manner, as formerly.

Peter Alrichs, John Donaldson, Richard Hallwell, & John Grubb, had the oaths & Test, and oath of a Justice of the peace for the County of New Castle, administred unto them.

Edward Bleake did Subscribe the declarations, and promised Solemnly to perform the office of a Justice of the peace for the County of New Castle.

Luke Watson, for the Countie of Sussex, had the oaths and Test, and oath of a Justice of the peace administred unto him.

[3d May, 1693.

Att a Councill Held att New Castle on Wednesday the 3d of May, 1693, in the morning.

PRESENT:

His Excell. BENJAMIN FFLETCHER, &c.

WILLIAM MARKHAM, Esqr., Leivt Governor.

John Cann,
Wm. Clark, } Esqrs.

Edward Lillington, Esqr., Sherriffe of New Castle, James Claypoole, Clark, & Peter Reverdie, Coroner, Had the Oaths and Test, with the oaths of their respective offices in the said Countie, administred unto them.

His Excell. did Spend the rest of the forenoone in finding the most convenient place att New Castle to build a fort, to Command the channell of the river delaware before New castle: in the afternoone did return to philadelphia.

[5th May, 1693.

Att a Councill Held att philadelphia, on Friday the 5th of May, 1693.

PRESENT:

His Excell. BENJAMIN FFLETCHER, &c.

Andrew Robeson,
Robert Turner, } Esqrs.
Pat. Robinson,

Lawrence Cock,
Wm. Salway, } Esqrs.

His Excell. Caused to be read an address of seaven persons (to him) Late of Mr. Lloyd's Councill, viz: Joseph Growdon, John Bristow, John delavall, John Simcocke, Hugh Roberts, Samuell Lewis and Richard Hough. The direction is to Benjamin ffletcher, Esqr., Captain Generall & Governor in Chiefe, &c., without naming his Excell. of the province of pennsilvania & Countrey of New Castle, wherein they call themselves the delegates and members of the provinciall Councill, in behalfe of the freemen of the province, and desire that no other method may be used for the Calling together their Legislative power then the received Laws of this province doe prescribe.

His Excell. asks the advice of this board concerning the same.

It is the opinion of this board, That the address being generall, It cannot be Consistent with the powers granted his Excell. by their majesties Letters patents, to have anie regard to, or answer it.

Samuell Jennings, a former Justice of the peace, being sent for, His Excell. did offer to continue him in the same station, which hee did refuse.

Arthur Cooke, in Like manner did refuse. Robert Ewer, in Like manner did refuse.

William Salway, Esqr., did Solemnlie promise to execute the office of Justice of the peace throughout the whole province and Countrey.

[6th May, 1693.

Att a Councill Held att philadelphia on Saturuday the 6th of May, 1693.

PRESENT:

His Excell. BENJAMIN FFLTCHER, &c.

Andrew Robeson,
Robt Turner,
Pat. Robinson, } Esqrs.

Lawrence Cock,
Wm. Salway. } Esqrs.

Samuell Carpenter being offered the office of Justice of the peace, Refused.

Griffith Owen, a former Justice, in Like manner did refuse.

Anthony Morris did Subscribe the declarations, and Solemnlie promise to execute the office of a Justice of peace in the Countie of philadelphia.

Joseph Wilcox and Joseph Fisher did refuse the office of a Justice of peace.

Jacob Hall and Andrew Bankson took the oaths & Test, and oath of Justice of the peace for the Countie of philadelphia.

Francis Rawle did Subscribe the declaration and solemnlie promise to execute the office of Justice of the peace in the Countie of philadelphia.

Francis Daniell pastorius did subscribe the declaran and Solemnlie promise to execute the office of a Justice of peace in philadelphia.

Some of the Councill giving Information That William Hudson did utter words in contempt of a proclamation Issued by his Excell. to prohibit Sabbath breaking, drunkenness, Idleness, Unlawfull gaming, and all manner of prophanesse,

Ordered Andrew Robeson, Esqr. doe call the evidences before him, take the sum of their evidence agt Hudson in writting, and returne it to this board.

[8th May, 1693.

Att a Councill Held att Philadelphia on Moonday The 8th of May, 1693.

PRESENT:

His Excell. BENJAMIN FFLETCHER, &c.

Andrew Robeson, Robt Turner, Pat. Robinson, Esqrs.
Lawrence Cock, Wm. Salway, Wm. Clarke, Esqrs.

Andrew Robeson, Esqr. made Return, That he had examined the Evidences agt Wm. Hudson, and found no positive Materiall Evidence agt him, & that he did deny the words.

Humphrey Murrey, a former Justice of the peace, did refuse to be continued.

Nehemiah Field had the oaths & Test, with the oath of Clarke of the Countie of Sussex, administred unto him.

[10th May, 1693.

Att a Councill Held att Philadelphia On Wednesday the 10th of May, 1693.

PRESENT:

His Excell. BENJAMIN FFLETCHER, &c.

Wm. Markham, Esqr., Leivt Governor.

Andrew Robeson, Robt Turner, Pat. Robinson, Esqrs.
Lawrence Cock, William Clarke, Esqrs.

Humphrey Waterman had the Oaths and Test, and oath of a Justice of the peace for the Countie of Philadelphia, administred unto him.

His Excell. did propose the necessitie of building a fort in some Convenient place upon the River Delaware, to Command the Channell for the Securitie and defence of trade and the Inhabitants: Which was putt to the vote and Caryed in the affirmative.

POST MERID.

Afternoone, The 10th of May, 1693.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

William Markham, Esqr., Leivt Governor.

Andrew Robeson, Lawrence Cock, Esqrs.
Wm. Clarke, Robt Turner, Esqrs.

Some Indians from the upper part of the River being come to towne to pay their respects to his Excell., His Excell. sent for them & gave them audience.

Lawrence Cock, Esq^{r}., their Interpreter.

Their Speaker laid a belt of Wampum att his Excell. feet, Saying: this Belt of wampum Came to us from the Indians of Virginia and Maryland, for a token of peace between them and us, and now wee lay it before your Excell., in token that wee desire peace with all the Indians that belong to anie English plantations in America: And desire your Excell. to persuade the Senecas from doing them anie harme in their hunting, (as was done to some of them Last Summer,) that they may hunt in safety.

His Excell. did answer: That he was shortlie to Return to Newyorke; That their majesties have made him Governo^{r} of Pennsilvania and New Castle, & putt all the forces of East & West Jersey under his Command, and hee was come here to publish it, But so soone as hee shall returne to Newyorke, will goe to Albany & there meet the five nations, and have Conference with them; And that he wold Enjoine the Senecas, & all the other Indians, to peace & friendship with them, & all other Indians belonging to the English provinces in America. Therfore, they should not doubt his protection whilst they are of good behaviour.

The Indian Speaker Laid some dressed deer skins att his Excell. feet, & wished his Excell. joy of this government.

His Excell. told them that he was to returne to Newyorke himselfe, and Had appointed Leiv^{t} Governo^{r} Markham in his stead, and if anie of them be aggrieved in his absence, they must make application unto him for redresse, which they will alwayes have.

The Speaker sayes: Wee are verie thankfull to your Excell. for appointing one over us in yo^{r} absence who hath done good to us formerlie, and whom wee Have known a Long time; and in token therof, Laid down some Bever att his Excell. feet.

The Speaker again says: Wee are now glad to know our Governo^{r}: when the Quakers governed sometimes one man & sometimes another pretended to be Governo^{r}, & when wee were in feare of the French and their Indians, and inclined to make warr with them, they would not encourage us, nor make anie preparations themselves, nor give us assistance: although wee are a small number of Indians, yet wee are men & know fighting. Wee hope yo^{r} Excell. will encourage us in it; & gave some raccoons.

His Excell. told them, That in February Last the French and Indians did invade the Mohoggs Countrey, and in three days hee was got to Schenactady with force sufficient to have destroyed them all; That they stoll away in a stormie night: But were sufficiently beat the day before, and most of their officers killed. Also, that hee was a man of armes, and not of the Quakers principle: That he had served their majesties in their army before hee came hither, and wold now goe as farr as any man to protect them, and all that doe owne their majesties authoritie, as well Indians as Christians.

His Excell. told them He hoped they will give him a proofe of their Manhood & valour by sending some of their best men up to Albany, to assist our people ag^t the Enemy. That here they were in safety, for the French and their Indians cannot come neer to hurt them, Unless they come over him, which they should never doe.

The Speaker said That some of them had been drunk; His Excell. must pardon it and not putt them in the stocks, for they knew no better, and the Christians did sell them the Liquor; and gave two deer skins.

His Excell. Replyed That their Brethren at Albany were not of their mind: in February last, some of them being drunck one killed another, and they came to me and prayed that I should dischairge the selling of Rum to the Indians during the warr, or that I wold punish such as were drunk.

The Speaker. Wee profess wee will be one Heart, and true to the English and to one another; Wee submitt ourselves to your Excell. and if ever you find us false, you shall cutt us all to pieces, making signs all over his body; & gave some deer skins.

His Excell. Replyed he was glad to see them so dutifull, and wold give them protection accordinglie. That he wold order something for them in testimony of his satisfaction with their friendship and submission.

[11th May, 1693.

Att a Councill Held att Philadelphia on Thursday The 11th of May, 1693.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

Andrew Robeson, Robert Turner, Pat. Robinson, Esq^{rs}.
Lawrence Cock, Wm. Clarke, Esq^{rs}.

Upon reading the petition of sundrie Sweedes, Inhabitants upon the river Skuilkill, wherin they sett forth that their meeting hous is on the other side the river; That they Live three miles distant from the ferry, and that they are restrained from passing the river the nearest way to their worship on Sundayes & Holydayes by philip England, keeper of the ferry att Skuilkill.

His Excell. did offer his Inclinations to remove anie obstruction that might be given to the worshipp of God, and his regard to the Interest of the proprietarie in the ferry, desiring the Councill's advice.

The Councill are of opinion, That the petitioners may have Libertie granted them to transport themselves over the river to & from their worshipp, provided they doe not abuse this Libertie to other ends, to the prejudice of the ferry.

[12th May, 1693.

Att a Councill Held att Philadelphia on Friday the 12th of May, 1693.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

Wm. Markham, Esqr, Leivt Governor.

Robert Turner, Pat. Robinson, } Esqrs.
Lawrence Cock, Wm. Clarke, } Esqrs.

Upon reading of the petition of William dennis, Complayning of Cornelius Empson,

Ordered the said Empson have a Copie of the petitioner's Complaint.

His Excell. did order the Councill to resolve themselves into a Committee, to Consider what may be proper for his Excell. to offer to the Assembly.

[13th May, 1693.

Att a Councill Held att Philadelphia on Saturuday the 13th of May, 1693.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

Wm. Markham, Esqr., Leivt Governor.

Robert Turner,
Laurence Cock,
Wm. Clarke, } Esqrs.

George Forman Had the oaths & Test, & oath of a Justice of peace for the Countie of Chester, administred unto him.

John Child had the oaths and test, and oath of the office of Countie Clark of Chester, administred unto him.

Jeremiah Collet, Thomas Smith, and Thomas Withers, did subscribe the declarations & profession of the Christian faith, and solemnlie promised to performe the office of a Justice of peace for Chester Countie, according to the substance of the oath of that office.

John Simcoke, John Bristow, George Merris & Wm. Jenkins, former Justices of the peace in the Countie of Chester, did give a dilatorie answer to his Excell. proposall to have them continued in that office.

Jonathan Hayes, Robert piles and Randall Vernon, did refuse the office of Justice of the peace in Chester.

Gilbert Wheeler and Joseph Wood took the oaths and Test, and office of a Justice of peace for Bucks Countie.

Robt Cole took ye oaths & test, & oath of Clark of the County of Bucks.

[15th May, 1693.

Att a Councill Held att philadelphia on Moonday the 15th of May, 1693.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

WILLIAM MARKHAM, Leivt Governor.

Andrew Robeson, Robt Turner, Pat. Robinson, Esqrs.

Lawrence Cock, Wm. Salway, Wm. Clarke, Esqrs.

John Brocke did subscribe the declaration and profession of the Christian faith, and solemnlie promise to execute the office of a Justice of peace for Bucks Countie.

William Rodeney had the oaths and Test, and oath of Clarke of the County of Kent, administred unto him.

[16th May, 1693.

Att a Councill Held att Philadelphia on Tuesday the 16th of May, 1693.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

WILLIAM MARKHAM, Leivt Governor.

Andrew Robeson, Robert Turner, Pat. Robinson, Esqrs.

Wm. Salway, John Cann, Wm. Clarke, Esqrs.

George Forman Had the oaths and Test, and oath of a privie Councillor for this province, administred to him, & by his Excell. was appointed to take place att the Councill board.

[3d June, 1693.

Att a Councill Held att philadelphia in the Livet. Governor's house on a Saturuday 3d of June, 1693, about ten in the morning.

PRESENT:

WM. MARKHAM, Esqr., Livet. Governor.

Andrew Robeson, Robert Turner, William Salway, Esqrs.

William Clarke, George forman, Esqrs.

pat. Robinson, Secry.

Ordered that Jno Claypoole, Sheriff of philadelphia, doe forthwith attend att the market place with the Constables, the publication of the new Laws from their Originalls, under his Excell. hand, and of the petition of right, & List of Laws therin contained, and the conclusion therof, and the ans^{r} given therunto under his Excell. hand, which were accordinglie published.

Adjourned to the afternoon.

POST MERID.

Post Meridiem. Præsentibus Sicut antea.

Upon the reading of a Letter directed to the Livet. Governo^{r} from Jn^{o} Hill, Esq^{r}., sheriff of Sussex Countie, dated the 29th day of May, 1693, mentioning that upon Thursday next Last, Silvester garland brought him two silver cupps, mark't I B, and the other I A, which upon further inquirie, were known to be John Bellamie's, wherupon the said John Hill apprehended the said Indian, who upon examin said that his children found them in grubbie neck. Hee tells hee has him in Custodie in Irons, & desires the Live^{t} Governor's advice y^{r}in, & by what means hee may be discharged of him.

Ordered that Wm. Clarke, esq^{r}., in his return home take w^{t} him the sd Silvester garland, by a warr^{t}., & that hee examin the sd Indian befor the sd garland, as also the sd garland, & return the sd examinan to the Live^{t} Governo^{r} & Councill, and to continue or discharge ym as hee, the sd Wm. Clark, shall see cause.

[5th June, 1693.

Att a Councill, Held att philad. on a Moonday y^{e} 5th of June, Annoq domi. 1693.

PRESENT:

WILLIAM MARKHAM, Esq^{r}., Live^{t} Governo^{r}.

Andrew Robeson, } Esq^{rs}. George forman, Esq^{r}.
Robert Turner, } Pati. Robinson, Secry.

The Livet. Governo^{r} and Councill being informed of the arrivall of the Briganteen Ann from Barbadoes, & y^{t} the M^{r}., George Stiles, was Lost att sea, did call befor ym the briganteens Compa. & passengers, to give an acco^{t} of his death, whether it was casuall, or whether anie on board was instrumentall therin. Emanuell Marius, a Spaniard, deposed that being Saillor aboard the sd briganteen, came outt from Barbadoes about 5 weeks agone, their Compa. consisting of the sd M^{r}. another Seaman, who was prest from them by a man of warr 3 dayes after they came thence, Christopher Hodges & the deponent: when they were in sight of land, 8 Leagues southward of the capes of delaware, wind Southeast, they gybed, and the boom knock't the sd M^{r}. overboard, & the deponent saw him in the sea, & imediatlie they cutt the boat Lashes & gott outt after the M^{r}. and saw the Sharkes byte his hatt, and as they came up to him w^{t} the boat hee sunk: the deponent said that the M^{r}. had no wife, & nothing on board but a few old cloathes & instruments, & that hee, the deponent, cannot take an observan, and knows onlie the North Starr.

Christopher Hodges deposed, that this accident happened of the 25th day of May Last, between the hours of 4 & 5 in the afternoone, after they had made land and ran to it, & came below the Inlett, and then the Mr. did bid us get readie the anchor and drop it, thinking it was the whorkill. Ned Burch, a passenger, & shoemaker by trade, being at the Helme wher the Mr., as he was showing him which wind to keep, brought the saill to gybe & struck Burch, whois head was a little above the deck in the steridge, and struck the Mr., who was standing aloft, quite overboard; & that this deponent saw his heells turn over his head, & so fell overboard and cryed to bring the vessell too, which they did, and gott outt the boat, & flung outt a barrell, & the passengers flung outt ropes, but hee could gett hold of none of ym; they saw him swim, and att Last sunk, just as they gott to him, & also deposed the substance with the Spaniard. Elizabeth Cruikshank & Jean Yelden, passengers, deposed much to the same purpose, and that the Mr. was Lost accidentallie.

[6th June, 1693.

Att a Councill Held att philad. on a Tuesday 6th June, 1693.

PRESENT:

WM. MARKHAM, Esqr., Livet. Gor.

Andrew Robeson, Robert Turner, } Esqrs.	William Salway, William Clarke, } Esqrs. Pat. Robinson, Secrie.

Ordered that Tuesday next it be considered att what place of the towne the public markett shall be keept.

[13th June, 1693.

Att a Councill Held at philad. on a Tuesday 13th of June, 1693.

PRESENT:

WM. MARKHAM, Esqr., Livet. Governor.

Andrew Robeson, Robt Turner, Wm. Clarke, } Esqrs.	Lacey Cock, Wm. Salway, } Esqrs. Pat. Robinson, Secry.

Robert Brett, Clark of the market, appointed by Comission from his Excell. Benjn ffletcher, &c. having made some proposalls to the Livet. Governor and Councill about regulating the markett att philadelphia, Ordered that it be deferred untill it be known what are the Customs of newyork about the clark of the market & his fees, and that the market place be then also established.

Upon Complaint made to the Livet. Governor & Councill, that some of the Late Countie Clarks of the province and territories wold not deliver up to the succeeding Clarks Commissionated by his Excell. the records, minutes, rolls, files & ordrs of their rexive Courts, wtout an order,

Ordered that the Secrie issue this order, Subt by him, by ordr of Councill, for all the said Clarks to deliver up to the Succeeding Clarks Comissionated by his Excell. all the records, minutes, rolls, files and orders of their rexive Courts, by Indenture, to be made between the former and succeeding Clarks, as they will answer the same att their perrill.

[20th June, 1693.

Att a Councill Held att philad. on a Tuesday ye 20th of June, anno dni 1693.

PRESENT:

WM. MARKHAM, Esqr., Livet. Governor.

Andrew Robeson, } Esqrs. George Forman, Esqr.
Robert Turner, } pat. Robinson, Secrie.

George Seith Having presented a petition, Setting forth that hee had been aspersed by some in this province, as having behaved himselfe offensivlie agt the governmt, & particularlie by Thomas Lloyd, Samll Jennings, Arthur Cooke, & Jno delavall, in a Lettr from them to him, bearing date the 26th of 10th Mo., 1692, to the Livt Gor & Councill produced, wherin they accuse the said George of being Crazie, turbulent, a decryer of magistracie, and a notorious evill Instrument in Church & state, with manie other Severe expressions of that nature, and therfore requested a Certificate of his good behaveour.

Ordered that a Certificate be drawn and Signed to the petitioner; which was accordinglie done, and two of them Signed by the gentl. of the Councill then present: a Copie of the petitn, letter and Certificate, remain on the files of the Councill.

[26th June, 1693.

Att a Councill Held att philad. on a Moonday the 26t of June, 1693.

PRESENT:

WM. MARKHAM, Esqr., Livet. Governor.

Andrew Robeson, } Esqr. Lawrence Cock, Esqr.
Robert Turner, } Pat. Robinson, Secry.

Upon reading of the petin of divers of the relatns, friends & neighbours of derrick Johnson, a prisoner Condemned to dye, The sd petion containing in it reflecting matter relating to the triall of the sd derrick, was rejected, Which the Livet. Gor. & Councill imputed to the drawer of the petin, (supposed to be Jno White,) & not to the petitioners, whom the Livet. Governor and Councill excused, because of their Ignorance

And therafter, upon the petitn of Brighta, the wife of the sd derrick, begging the favor from the Livet. Governor of some support to herselfe and poor children, The Livet. Governor told ym he wold intercede for ym to his Excell. Benjm. ffletcher, upon that accompt.

[27th June, 1693.

Att a Councill Held att philad. on Tuesday 27th June, 1693.

PRESENT:

WM. MARKHAM, Esqr., Livet. Governor.

Andrew Robeson, } Esqrs. Geo. Forman, Esqr.
Robert Turner, } pat. Robinson, Secrie.

Upon reading the petition of Edward Burch to the Livet. Governor, setting forth, That having Sailled from Barbadoes in the barkenteen Ann, George Stiles, Mr., & onlie one man and a boy more belonging to her, the petitionr and his servant being to have their passage for their Labour: that the Mr, to the Southward of Cape Henlopen, was causually knockt over board and Lost, to the hazard of the shipp, goods & passengers, and that att the desire of the people on board, the petitioner, with great hazard of his Life, went ashoare, & for saving the Life of the people, & for preserving the vessell and cargoe, did agree with a person to pylot her to some safe harbour, and to give him twentie pounds, and having had an easie & speedie passage into the whorekills, the said pylot was willing to take ten pounds sterling, which the petitioner accordinglie paid, & took his receit for the same: And yrfor praying that the owners or present Mr of the sd vessell may repay the said monies, & to allow some reasonable reward for his extraordinarie service, care and danger, &c.: Mr Jasper Yeates, to whom the sd vessell was Consigned, being called, and having had the sd petin read to him, and alledging that the passengers promised the petitioner fourtie Shillings p head for his care,

It was ordered that the owners of the said vessell should pay back to the petitioner the said sum of ten pounds, & that hee might take his remidie att law for the fourtie shillings p head, promised to him by the passengers.

Upon the petition of the Inhabitants of the townshipp of Cheltenham, in philadelphia Countie, for a convenient roade to the towne of philadelphia, while it may be done without injurie to the improvments of the Inhabitants: As also, for a convenient roade from the most inhabited part of the said townshipp, to Germantowne.

Ordered that the petitioners acquaint the Surveyor generall to attend the Councill the yth of July next, to informe about the conveniencie of the said road.

Upon the petition of the inhabitants of Chester, to order the division of the sd Countie from the Countie of New castle, for want of which the petitioners Have long suffered,

Ordered that one or two persons of each Countie doe attend the

Councill the yth of July next, in order to inform the Councill of the true state of that affair.

Upon the petition of philip England, Setting forth that wheras his Excelly. Benjamin Fletcher, did confirm the proprietor's License for keeping a ferrie over Skuillkill to the petitioner, forbidding anie other to act therin att their perrill; And that notwithstanding therof, Wm. Powell does ferrie people over the Skuillkill, to the petitioner's damage, & yrfor requesting the said Wm. Powell may be supprest,

Ordered that the Secry. Issue outt a warrant, to be served on the sd Wm. Powell by the Messenger, to appear before the Councill the 18th of July next, to make ansr to the sd Charge.

11th July, 1693.

Att a Councill Held att philadelphia on a Tuesday, the yth of July, 1693.

PRESENT:

WILLIAM MARKHAM, Esqr., Livet. Governor.
Andrew Robeson, Esqr. Robt Turner, Esqr.
Patrick Robinson, Secry.

The paucity of Justices of the peace for this Countie being represented to this board by some of the members yrof, It was thought fitt that between this & the 18th instant, John Jones & Joshua Carpenter should be desired to be present the 18th instant at this board.

Upon the petition of Edmond Lassell to the Livet. Governor and Councill, setting forth that he has been 3 years agone prosecuted about making of monie, upon the evidence of persons att that time, Convict for the same crime, and yrfor requesting that upon his giving securitie for his good behaviour, hee might have Libertie to come into philadelphia to pursue his calling,

Ordered, That by reason of the uncertaintie of this petin, that the petitioner be Left to his course att law.

Upon the petin of Israell Taylor, Joseph Taylor and Jno Buzbie, setting forth That Robert Turner having had the administran of the estate of Christopher Taylor, their father, Comitted to him by the then Ordinary, 12 mo. agone, and that hee hath done little in it, to the petitioner's great damage; And yrfor Requesting that the sd Robt turner may be ordered to prosecute the sd business as farr as in him lies, otherwise the petitioners will be greatlie damnified.

Ordered, That if the sd Robt turner doe not, with as much expediton as the Law will allow, perform the dutie of an administrator yrin, That another be appointed in his roome.

Upon the Request of some of the members of Councill, that an ordr made by the Court of Quarter Sessions for the Countie of philadelphia the 4th July instant, (proceeding upon a presentment of the grand Jurie, for the bodie of the sd Countie,) agt the tumultuous gatherings of the negroes of the town of philadelphia, on the first dayes of the weeke, ordering the Constables of philadelphia, or anie other person whatsoever, to have power to take up negroes, male or female, whom they should find gadding abroad on the said first dayes of the week, without a tickett from their Mr., or Mris, or not in their Compa, or to carry them to goale, there to remain that night, & that without meat or drink, & to Cause them to be publickly whipt next morning, with 39 Lashes, well Laid on, on their bare backs, for which their sd Mr., or Mris. should pay 15d to the whipper att his deliverie of ym to yr Mr., or Mris. & that the sd order should be Confirmed by the Lievt. Governor and Councill.

The Lievt. Governor & Councill Looking upon the sd presentment to proceed upon good grounds, & the ordr of Court to be reasonable & for the benefit of the Inhabitants of the town of philadelphia, & that it will be a means to prevent further mischeifes that might ensue upon such disorders of negroes, doe ratifie & comfirme the same, & all persons are required to putt the sd ordr in execu'n.

Upon the presentment of the sd grand Jury for the want of a Channell to Convey ye water each way along the front street, between Chess-nutt-street & Wall-nutt-street, & upon the ordr of the sd Court that the Inhabitants between the sd streets on each side of the way should represent the same to the Livet. Gor & Councill,

Ordered, That the Messr of the Councill, by ordr from the Secrie, doe Summon all the inhabitants on both sides of the street from Chessnutt to Walnutt-street, to attend the Councill the 18th instant, in ordr to be heard in the sd matter, and to know the Livet. Governor and Councill's minds therin.

[18th July, 1693.

Att a Councill Held att philadelphia on a Tuesday the 18th day of July, 1693.

PRESENT:

WILLIAM MARKHAM, Esqr., Livet. Governor.
Andrew Robeson, } Esqr. Lawrence Cock, Esqr.
Robert Turner, } Pat. Robinson, Secry.

Upon a former petn to the Livet. Governor & Councill, held 27th June Last, by philip England agt Wm. powell, for ferrying people over Skuillkill to the petitioner's damage, It was then ordered that sd powell should be Sumoned by ye messr of the Councill to attend ym this day to ansr the sd charge. The sd Wm. powell appeared & for his justificaon produced a paper wherin the grand Jurie for the Countie of philadelphia, held the 7th of the 4th mo. 1692, presented the conveniencie of another ferry att Wm. powell's on the Skuillkill, which the sd Court allowed, approved, and thought convenient that it should be done accordinglie. To wch the Livet. Governor ansred that yt was no authoritie for him to keepe a ferrie there in prejudice to the ferrie established by the proprietor. But therafter the sd Wm. powell answered That he wold desist from & leave off ferrying over people att that place, & that none else under him should ferrie any people over from his Land for anie reward, And which the Livet. Governor strictlie charged him to observe att his perrill.

Robert Brett Having made known to the Livet. Governo^{r} & Councill that he had a Comission from his Excell. Go^{r} ffletcher, for Clark of the market of philadelphia, Requested that they wold establish suteable fees to the said office.

Ordered, That the Clark of the market for the sd towne shall & may receive for all Cattle killed for the market Sixpence p head; for everie sheepe, calf & Lamb, two pence p head, for everie Hogg or shoot brought to the market or cutt outt for Sale there, three pence, And that nothing shall be paid for what the Countrie people bring to towne readie killed; And y^{t} hee shall & may receive for Sealing of weights & measures, One pennie for each great or small. And they also Ordered, that all persons concerned should duely pay the Clark of the market the above said rates; And that all Justices, sherriffs, Constables and other officers be ayding & assisting to him in the execuon of his said office.

According to an ord^{r} of the Livet. Go^{r} and Councill, of the yth of Julie instant, John Jones and Joshua Carpenter having appeared, & the office of a Justice of y^{e} peace being offered ym, John Jones absolutelie refused the same: Joshua Carpenter accepted, and did take the oaths appointed by act of parliament to be taken instead of the oaths of allegiance & Supremacie, & subt. the test, & took the oath of a Justice of the peace.

In obedience to a form^{r} order of Councill, dated yth instant, some of the Inhabitants betweene Chess-nutt & Wall-nutt street, did appear, viz: Griffith Jones, Sam^{ll} Carpenter, Anthony Morris, Alex^{r} Beardslie, Nath^{ll} Sykes, Humphrey Morrey, Rob^{t} Ewer, Joshua Carpenter, Tho. Marle, who did represent their willingness to have a Channell in the midst of the street to convey the water both wayes along the front street, between the sd two streets, qrby the nusance between the sd two streets might be remedied, and did desire that since they could not agree among ymselves about the manner of it, That the Livet. Governor & Councill wold take such Course yrin as might be Compulsorie, & binding upon ym & the rest of the freeholders between the said two streets.

Ordered, That Anthony Morris, Joshua Carpenter & Alex^{r} Beardslie, doe oversee & order the doing of the sd worke, with all expedtn & y^{t} they take such advice & assistance y^{r}in as they shall think fitt, and that the charge be laid equallie & proportionablie upon the freeholders on each side of the way between the sd two streets.

[30th July, 1693.

Att a Councill Held att philadelphia on a Thursday the 30th of July, 1693.

PRESENT:

WM. MARKHAM, Esq^{r}., Livet. Governo^{r}.

Robert Turner, } Esq^{rs}. Pat. Robinson, secry.
Lawrence Cock, }

Israell Taylor, sheriff of the County of Bucks, Having been Called before the Livet. Go^{r} & Councill to give an aco^{t} of the estate of derrick Jonson, Lately sentenced & executed for murdering an unknown person; And whether he had observed the Law relating to the estates of persons executed for murder; And why hee went from towne without taking full Instructions about the said estate; And why hee had disposed of some parts of the sd estate Contrarie to the instructions he had received from the Livet. Governo^{r}: To all which Hee answered, That hee had not Inventoried the sd whole estate; and that hee had taken some part of it, but had not meddled with the widdow & children's half part; and that hee had disposed of some of the movables; and that hee had paid no ffees but conditionallie, to be repaid him if demanded; and that hee had great trouble about it; And that hee had procured to himself manie enemies on the acco^{t} of his office; and after a perremptorie manner, desired to be dismist from the same: From which the Livet. Governo^{r} did dismiss him from that time.

Ordered, That Israell Taylor doe bring in the Inventorie of the estate of derrick Jonson, and the apprizment therof, with a particular acco^{t} how, in what manner, to whom and for what, hee has disposed of the same, by the 13th of August next; which hee promised to doe befor y^{t} time; and further added, that hee could give a true & just accompt of the same.

Ordered, That a Bill of Charges of 7£, 15S, & 5d, disbursed and brought in by Rob^{t} Cole for saving, reaping and securing the Cropt of Corne, be paid him out of the sd estate of derricke Jonson, with something for his owne pains, travell & expences.

[1st August, 1693.

Att a Councill Held att philadelphia on a Tuesday the 1st day of August, 1693.

PRESENT:

WILLIAM MARKHAM, Esq^{r}., Livet. Governo^{r}.

Andrew Robeson, Esq^{rs}. Lawrence Cock, Esq^{r}.
Robert Turner, pat. Robinson, Secry.

His Excell. Benjm. Fletcher's Lett^{r} to the Livet. Governo^{r} and Councill was this day read, & becaus of the thin Councill, It was ordered y^{t} the same should be considred the 8th instant in a full Councill, And y^{t} y^{e} Secrie. give notice to as many of y^{e} Councill to be then present as (by reason of their distance) can.

Thomas Meaking, keeper of the ffree schoole in the town of philadelphia, being called befor the Lt. Go^{r} and Councill, was told that hee must not keepe schoole wtout a Licence. Ansred that hee was willing to Comply, and to take a Licence: was therfore ordered to procure a Certificate of his abilitie, Learning & diligence, from the Inhabitants of note in this towne, by the Sixteenth instant, in order to the obtaining a Licence, which he promised to doe.

Upon Reading the petion of Charles Butler against David Lloyd, Ordered That the Consideratn yrof be referred to the next Councill, the 8th instant, and that the Secrie. cause the messr Sumons the sd David Lloyd to be then present to ansr to the same.

John Claypoole, Sheriff of the Countie of philadelphia, Having informed the Lt. Gor & Councill that the members of Assemblie for the sd Countie, & the other 3 assessors chosen by ym, Having thought fitt to nominate him Collector for the sd Countie of the supply money, but were desirous that the Lt. Gor & Councill might take Securitie from & with him in 500 ll. for his performance yrof & fidelitie yrin, Hee brought befor the Lt. Gor & Councill Samll Atkins for his Securitie, Whom the Lt. Gor & Councill (with their owne Consents) ordered to be bound in 1000 ll. jointlie & severallie, to their maties, with Condition that the sd Jno Claypoole should faithfullie discharge that trust, and that hee should pay to the Treasurer all such sums as hee should from time to time receive, And ordered the Secrie. to take their obligaon to their maties accordinglie.

In prosecuon of an ordr made the 27th of June Last, past on the petion of the inhabitants of Cheltenham, for a road to philadelphia, Ordering the then petitioners to Desire Robt Longshore, deputie Surveyor genrll, to attend the Councill to informe about the Conveniency of the said road.

This day Tobias Leech and the sd Robt Longshore appeared. Ordered That this petitn, & another from the Inhabitants of 2d dublin township, wch was this day read, be considred the 8th instant, & that one person from each of the said Townshipps represent the said grievance wtin mentned, and that the Deputie Surveyr genrll be then present, to inform about the Convenience of the Road desired.

[8th & 9th of August, 1693.

Att a Councill Held att philadelphia on Tuesday and Wednesday the 8th & 9th of August, 1693.

PRESENT:

WILLIAM MARKHAM, Esqr., Livet. Governor.

Andrew Robeson,
Robt Turner,
William Salway, } Esqrs.

John Cann,
Geo. forman, } Esqrs.

Pat. Robinson, Secry.

His Excell. Benja Fletcher's Lettr to the Lt. Gor & Councill having been read, It was Resolved that a particular ansr should be given to each part yrof & a minute made of the same.

The 1st claus yrof begins thus: "After my Heartie Salutaon, I "doe recommend that you diligentlie intend the keeping of the peace "in yt province & Countrie Comitted to yor charge. I hope you will "alwayes behave yorselves wt that prudence, moderatn and justice in

" yor Severall stations during my absence, that will justifie yor Char-"acter & my choice."

The Lt. Gor & Councill did Resolve, That they wold, according to the outtmost of their power, skill & ability, perform their rexive duties yrin, and hope that no Imprudence, Immoderation or Injustice should be found amongst them, or exercised by any of them, towards the people or one another, soe as to Impeach their Character or Condemn his Excellencies choice.

To the 2d, viz: "If there be any urgent necessitie for my presence "to assert their maties interest, and Confirm the peace & quiet of the "subject, I shall be readie to come amongst you att all times when "their maties other affairs in the frontiers of this province will give "me Leave. I confide much in your care."

The Lt. Gor & Councill are of opinion that att present there is none, for the people doe submitt to their maties government under his Excelly & the Lt. Gor, and are generallie Quiet under the same; And their care that it may so Continue will not be wanting.

To the 3d, viz: "I wold have you send me a Copie of the proceed-"ings of that speciall Court of Oyer and Terminer, with all the "severall evidences that were given upon triall agt the murderer who "is putt to death."

Ordered That the secrie who was Clark to that triall, draw outt a fair Copie yrof, & of the depositns of the severall evidences, & Transmitt the same to his Excelly.

To the 4th, viz: "I desire your care in Causing the penny in the "pound to be duly collected, and if any of the Representatives of "Assembly be backwards, Let me know their names and Residence."

The Laying of the same, Appointing assessors, Collectors, and the bringing in the names of the Inhabitants, does go on with as much expeditn as may be in all the six Counties, and if anie persons concerned shall be found backwards or negligent to assist in making the same, ordered that their names & residence be transmitted to his Excelly, and that all possible care be taken to supplie that defect by all Lawfull means.

To the 5th, viz: "It is my earnest desire that you take care to "suppress all faction, heats and animosities, and that by such prudent "methods and wayes as may most Contribute to the compassing the "end."

Resolved, that as it hath been, so it shall be the Lt. Gors and Councill's care to suppress the same, and the discontents seem rather to decreasce than Increasce.

To the sixt, viz: "I wold have you from time to time to give me "a particular accot of all publick occurrences in the government, who, "or what, doth obstruct its peace & quiet, and what will most advance "the benefit yrof."

Resolved that his Excellies desire therin be dulie answered.

To the 7th, viz: "You know there is no Revenue fixed for support "of yr maties governmen't; How my time & patience was wasted the "Last assembly to no purpose. I doe now desire yor advice in the

" calling of an assembly, if it may be Convenient, this fall, & that you " doe use yo^r Interests to procure such Repsentatives as may be best " affected to their maties governmen^t."

This having been thorowlie debated, It is the Lt. Go^r & Councill's opinion, That in regard that it's now the high time of rating the tax Land by the Last assembly, It was not convenient to make anie Conclusion. But Resolved, that when the rates are Laid and brought in, That this debate be Reassumed; Unless his Excelly will be pleased to give the Lt. Go^r & Councill his reasons for having an assembly this fall, which then shall be debated and resolved upon.

Thereafter the whole Councill present Unanimouslie requested that the Lt. Go^r wold be pleased to write in his owne & their names a Letter of thanks to his Excell. for his sd Letter & care of ym & the province, & y^rin to assure him of their loyaltie to their maties, of their obedience to their governm^t, of their good affections to his Excelly, and their heartie inclinaons to maintain, promote & advance all their just interests. & of y^r care & diligence to discharge the trust reposed in ym, though not after the strict rules & methods required of persons of better education, experience & Learning; yet after the generall rules of Comon Justice, which they earnestlie beseech his Excelly to accept of.

Charles Butler's petion ag^t David Lloyd (from the preceeding Councill referred to this) was read, setting forth: That when the sd David Lloyd was Clark of ye provinciall Court Held the 24th 7ber 1691, The petitionr was indicted for uttering & paying away severall peices of false monie, of false mixt mettall, to the Likenes of spanish Coyn, called peices of eight, wch hee sometime before made or Coyned in the Countie aforesaid, Intending craftilie, falslie, deceitfullie & traitourouslie, to defraud the king & his people, (wtout anie authority or Licence from the King & Queen to him given,) Contrary to the Laws in such case made & provided: And also, setting forth that the sd David Lloyd did add to the pettie Juries veredict ag^t the petitioner, (&c.) which the Jurie apprehending & reproving, demanded up their veredict again, (with consent of the bench,) and went forth again, & agreed on & wrote down their veredict again in the former words, as before they had done, viz: Philadelphia the 26th of y^e 7th mo., 1691. " Wee of the Jurie doe find Charles Butler guiltie of dispersing bad monie." Unto which the sd David Lloyd after that added, (&c.) whereby yor petitioner had sentence of misprision of Treason pronounced ag^t him, viz: That he shall forfeit his goods and chattells forever, and the profitts of his Land during his Life, and be Imprisoned during his Life. And therfore, Requesting Releife.

The said David Lloyd appearing, made ansr. That hee added nothing to the verdict, and that the Records wch yrin has the, (&c.) added to their veredict, was made up after sentence past on the petitioner, & that the, (&c.) in the record to the veredict, was for forms sake, and yrfore could not be the caus of the sentence.

Upon full debate hereof, the sd Complaint was found to have matter of Law in it ag^t David Lloyd, not cognizable by the Lt. Go^r & Councill;

yet thought the sentence of misprision of Treason verie severe ag^{t} y^{e} petition^{r}, for being only found guilty of dispersing bad money.

The Councill therfore desired his Excellencie, or in his absence the Livet. Governo^{r}, on the petitioner's application to grant him a pardon.

Upon the Complaint of Magister Jacobus Fabricius, the sweeds minister, That being blind, he was reduced to that povertie that hee had not wherupon to Live,

Ordered, That the Church-wardens of their Church, have notice to appear att Councill the ffifteenth instant, to make ansr to the said complaint.

In answer to the petion of the inhabitants of Cheltenham-Townshipp, to the Lt. Go^{r} & Councill, y^{e} 27th June, 1693; And of the Inhabitants of second Dublin townshipp, the 1st August instant, both requesting the Confirmaton of their roads from the sd respective townshipps to philadelphia,

Resolved, that the Comon road from Cheltenham townshipp to German townshipp, & from Cheltenham Townshipp to philadelphia, and from 2d dublin townshipp to philadelphia, (commonlie called Walter King's road) be & are hereby confirmed to be the high and Comon roads, provided they have been such for foure years Last past; And that the said Cheltenham road extend up into the Countrey to peter Chamber-Lains; And that the overseers of the Highwayes clear the said roads according to the methods prescribed by Law.

Upon the petion of philip England, setting forth that he hath a Licence for the ferrie att Skuillkill & Ordinarie there, on a place right ag^{t} the High-street on Skuillkill side, from the proprietor, & another from his Excell. Benj^{n} Fletcher, &c., confirming the same, on the condions yrin exprest, and that he hath a grant from the Comrs of the proprietor's propertie of a Leass for the sd ferrie for ten years, or untill the proprietor should otherwise order, with 12 acres of Land on the west side of the sd ferrie, and ten acres on the east side yrof, as Land to the sd ferrie belonging, att 7l. p annum, to comence from the first of March next. And yrfor, Requesting the Lt. Gor. & Councill to grant to y^{e} pet^{r} the sd Leass, under their hands & seals, on the terms above mentioned, & ansrable to the sd grant from the Comrs to yor pe^{r}, & yrin to ord^{r} to whom the sd rent should be yearlie payable for the proprietor's use; yo^{r} pe^{r} behaving himself as hee ought to doe in the capacitie of a keeper of the ferrie in that place.

Resolved, That the Lt. Go^{r} (by reason that there are no Quorum of the proprietor's Comr^{s} that will act in y^{t} capacitie,) grant to the petition^{r} the sd Leass, under his hand & Seal, on the terms above writtin, & ansrable to the Comrs sd grant to the pe^{r}, dated 24th June, 1693; and that the sd rent be made payable to Rob^{t} Turner, for the proprs use; The per. behaving himself as he ought to doe in the Capacitie of a ferry-keeper in the said place.

John Cann, Esq^{r}., a member of Councill, having Complained to the Lt. Go^{r} & Councill, that John White, Late Clark of Newcastle Countie, had caryed away outt of the sd Countie the Records of patents, deeds & Lands, & the records of the probats of wills, & severall papers, bonds and Inventories yrto belonging, which they had wanted for some years past, to the great prejudice of their Countie, Orphans and others, Requesting releife.

John White Having been sent for, appeared & made ansr that hee delivered all papers and records to his principall, Thomas Lloyd, and that he had none of them.

Resolved, That John Cann & Wm. Salway, Esq^{rs}., goe to said Thomas Lloyd and demand of him all Records & papers of all the offices hee formerlie had relating to the Countie of Newcastle, philadelphia, and all other the Counties of the province.

They on their Returned Reported, That hee ansred That hee wold send to the Lt. Go^r the two books relating to Newcastle Countie; But for the books relating to the other Counties, hee wold Discourse the Livet. Governor about them.

Upon the petion of the Inhabitants of Chester Countie to the Lt. Go^r & Councill, To adjust the bounds of the sd County from the County of Newcastle, Referred from the Councill, June 27th, to this.

After full debate of the said matter, Resolved, That, (for the present Conveniencie of the government, and not for an absolute and finall proprietarie division, but that the Inhabitants on the borders of both Counties may know to which of the two to pay their Leavies, taxes, &c., and performe their other Countie services,) The bounds of New castle Countie shall extend Northward to the mouth of Naman's creek, and upwards along the South-west side of the northernmost branch, (excluding the Townshipps of Concord & Bethell,) and not to extend backwards of the said northernmost branch, above the sd two townshipps.

The Debate concerning the establishing of the place of the markett of philadelphia (referred from the Councill of Sixt of June Last to this) being Reassumed & now thorowly debated, (for the Conveniencie of all the Inhabitants of philadelphia,) as also the regulaon and fees thereof answerable to the present Circumstances of the Town and Countrie.

[The Markett of Philadelphia.]

The Livet. Go^r did put it to the vote, Whether the markett should remain in the place where it now stands, on the west side of delaware front street, within the High street. It was carried in the negative, nemine contradicente.

The Livet. Go^r did putt it to the Vote, Whether the markett should be held att markett Hill, in Delaware front street. It was caried in the negative.

The Livet. Go^r did putt it to the vote, Whether the markett should be placed where the Second street crosses the High street. It was carried in the affirmative. But in respect that the said place could not be forthwith staked outt, & the bounds & extent of the markett place there ascertained, It was unanimouslie

Resolved, that after the 12th instant, the markett & stalls be for the present removed to markett-hill, & be there keept untill such time onley, and no Longer, as the Lt. Gor. shall cause the place wher the second street crosses the High-street, to be staked outt for the markett place, & till a Bell-house be built & erected, & the bell hung in the sd place, and that notice yrof be given to all persons concerned, by the clark of the markett.

Robert Turner, Esqr, treasurer of the sd province, Having requested the Lt. Gor & Councill to establish what sum Jno Claypoole, Sheriff, shall have for the moneys hee shall pay to him as Treasurer,

Resolved, that hee allow the sd Jno Claypoole 12d p pound.

[29th August, 1693.

Att a Councill Held att philadelphia on Tuesday the 29th of August, 1693.

PRESENT:

WILLIAM MARKHAM, Esqr., Leivt Governor.

Andrew Robeson, Robert Turner, } Esqrs.

William Salway, Esqr.

Pat. Robinson, Secry.

Upon the petion of the Inhabitants in and about the Townshipp of South-hampton, Requesting the King's road already Laid outt from the falls to South-Hampton, to be Laid outt & continued from South-hampton to philadelphia, by the Surveyor generll, with the assistance of the neighborhood, and that the same may be confirmed to be the King's road,

Ordered, That a warrt from the Lt. Gor be directed to the surveyor genrll, to Lay outt the king's road from South-Hampton to Henry Waddie's plantaon, where it may fall into the king's old road, to the great advantage of the Inhabitants: provided it be Laid outt att the p'er's charge, and that a Return yrof be made into the Secrie's office, in order to a finall confirmaon of the same.

Upon the petion of the Inhabitants of the first dublin Townshipp, Requesting a Continuation & Confirmaon to the sd townshipp of a ten year old road to Walter forrest's mill,

Ordered, That warrt from the Lt. Gor be directed to the Surveyor generll, to Lay outt the road desired to be continued & confirmed: provided it be Laid outt att the p'er's charge, & yt a return yrof be made into the secrie's office, In order to a finall Confirmation of the same.

Upon the petion of the Inhabitants of Oxford townshipp, desiring the Lt. Gor & Councill not to confirm the High road granted to the Inhabitants of 2d dublin Townshipp, from thence to philadelphia, upon the 8th and 9th instant,

The Lt. Gor & Councill did not think it reasonable to grant their Request, and therfore, Resolved, That for a further Confirmaon of the sd road from 2d dublin townshipp to philadelphia, a warrt from the Lt. Gor. &c., be directed to the surveyor genrll, to Lay outt the sd road from 2d dublin townshipp to philadelphia: provided, it be Laid outt att the p'er's charge; And that a Return yrof be made to the Secrie's office, in ordr to a finall confirmaon of y^{e} same. And as to the other road mentned in their petition, through Oxford to franckford, when they Request the Laying of it outt for a publick road, It shall be then further considred.

[19th Septembr, 1693.

Att a Councill Held att philadelphia on 19th day of 7br., 1693.

PRESENT:

WILLIAM MARKHAM, Esq^{r}., Livet. Governo^{r}.

Robert Turner, } Esq^{rs}. Lawrence Cock, Esq^{r}.
Wm. Salway, } pat. Robinson, Secry.

THe Livet. Go^{r} Having produced a Lett^{r} from John Miller, the minister of Newyorke, directed to him, dated 18th August, 1693, which came to his hands the 4th instant, Containing enclosed severall copies of a printed Breife, granted by His Excell. Benjamin Fletcher, &c., by & with the advice of the Councill of Newyorke, to waraner wessells, Antie Christians, & others, the friends of Cornelius Christians, peter Wessels, Bartholomew Rowston, John Crage, & Wm. Green, Late of Newyork, mariners, & now Captives in Algiers, (by reason y^{t} their relaons are not able to redeem ym,) To ask & receive the charitie of all Christian people undr his Excellys. governm^{t}, for their redemption: As also, severall Lres to se'all places & persons in pennsilvania relating yrto: And yrfore, desiring the Lt. Governor's assistance yrin, and y^{t} he wold promote it as much as he can, and to cause distribute the said Briefes and Letters.

And since, by reason of the sicklie time, the Lt. Go^{r} could not have a full Councill, and being Unwilling to deferr the consideraon of the affair anie Longer, did Communicate the same to this board, and after the said Lettr & Briefe wer read, desired the advice and opinion of the Councill yrin, Who, though they declared ymselves willing to exercise their charitie towards such Captives, Yet upon debate, were of opinion, THat they having no command nor advice from his Excelly concerning it, and the briefe being granted by his Excelly, by & with the advice of the Councill of Newyork only, and that it had no relation to this province, & did therfore Humblie conceive That they ought not to be distributed.

Ordered, That the secrie write to the assessors of the rexive six Counties, to Transmitt to the Lt. Go^{r} & Councill, by the 3d of 7br. next, a true Copie of the assessment of the penny in the pound, with the names of each person, and how much they are rated, Signed by the assessors, as the originalls are.

Ordered, That hee also write to the severall members of Councill that they be present att a full councill, the 3d of October next.

Upon reading the petion of philip England ag^{t} Wm. powell & Nathaniell Mullinax, It was referred to the Consideraon of the next full Councill, And in the meane time, that they, by an ord^{r} from the Secrie, be sumoned to be then present, to answer to the petitioner's charge ag^{t} them.

[23^{d} Septembr, 1693.

Att a Councill Held att philadelphia the 23^{d} day of September, 1693

PRESENT:

WILLIAM MARKHAM, Esq. Lievtenant Governo^{r}.

Andrew Robeson, Robert Turner, John Cann, Esq^{r}.

William Salway, Esq^{r}.

pat. Robinson, Secry.

Foure of the provinciall Judges, viz: Andrew Robeson, Wm. Salway, John Cann, Edward Bleake, Constituted by his Excellie Benjamin Fletcher, the Chief Governor, Commission dated the 29th of May Last, brought their Comission to this board, advising that the same was dated before the Law was past that did appoint there should be five provinciall Judges, and that it was not in such forme as answered the Law, And not having time befor the day appointed by Law for their sitting, Requested the Lievt. Governo^{r} to grant them a Commission which might answer the intent of the Law, which by the advice and Consent of the whole board, was ordered to be done, and was done accordinglie.

[1st Octob^{r} 1693.

Att a Councill Held att philadelphia the 1st day of October, 1693.

PRESENT:

WILLIAM MARKHAM, Esq^{r} Leivt. Governo^{r}.

Andrew Robeson, Robert Turner, John Cann, Esq^{rs}.

Wm. Salway, Lacey Cock, Esq^{rs}.

The Lievt. Governo^{r} produced to the Councill a Letter which hee had received from his Excelly Benjamin Fletcher, the Chief Governo^{r}, wherin hee ordered him to summons a Councill, which was then Convened accordinglie. The Letter having been read, was in these words:

SIR, I have appointed the first Wednesday in October next for the meeting of Commissioners from all the neighbouring Colonies and provinces, att New york, to Concerte and agree upon a Quota of men and money for the defence of the fronteers. You have seen their maties Commands to mee as Govern^{r} of pennsilvania for that purpose. You are therefore to gett the Councill, or a Quorum, together, to Consider of a fitt person for pennsilvania & the Countrie of new Castle. Signed Benj^{n} ffletcher, dated att fort William Henry; the 23 7br, 1693.

Upon which the board having debated, and then Unanimouslie resolved that Wm. Salway, esqr. should be the person for this province and Countries, to treat with the Comrs. of the neighboring Colonies appointed to meet att New york, Concerning a Quota of men & monies for the defence of the fronteers, according to her maties Letters to his Excellie the Chief Governor, and the Lievt. Governor is desired to Commissionate him for that service, & to give him such Credit as is requisit therto, which was accordinglie done.

Ordered, that the sd Wm. Salway have for the defraying of his charge Twentie shillings per diem, and that Robt Turner, Esqr. treasurer, pay the same to him, and that hee reimburse himself outt of the next tax to be collected, and that hee pay him downe Seaven pounds: & that the Lievt. Governor give an order for the same.

[Regulation of Markett.

It was this day, by the Lievt. Governor, with the advice of the Councill, agreed, That the Regulaon of the market of philadelphia should be as follows, Viz :

1° That the place for the markett be in the High-street, wher the second street Crosses it and in no other place.

2° That the market be keept there two dayes in the week weeklie, viz : Wednesday and Saturuday.

3°. That all sorts of provisions brought to this town for sale, viz: flesh, fish, tame foull, butter, eggs, cheese, herbs, fruits & roots, &c. be sold in the aforesaid market-place ; And in case anie of the aforsd provisions should come to the town of philadelphia on other dayes that are not market dayes, yet that they be sold in the market, under the same Circumstances, regulaons & forfeitures as upon the dayes on which the market is appointed ; and in Case anie of the sd provisions be exposed to sale in anie other place in this town than the sd markett, they shall be forfeited, the one half to the poor of philadelphia, the other half to the Clark of the markett.

4°. That the market begin and be opened att the ringing of the bell, which shall be rung from the first day of the 2d mon aprill, to the first day of 7ber., between the hours of six & seven, and from the first day of 7ber. to the first day of Aprill, between the hours of eight & nine, and in case anie of the aforsd provisions, or anie sort of marketting be sold (flesh excepted) befor the ringing of the bell, unles it be for his Excellie the Governor in Chief, or Leivt Governor, the same shall be forfeited, one half to the poor, the other half to the Clark of the markett.

5°. That no person cheapen or buy anie of the afore mentioned provisions by the way as it comes to the market, upon forfeiture of the same, besides the forfeiture of six shillings, both to the buyer & seller, one half to the poor, the other half to the Clark of the markett.

6°. That no Hucksters (or persons that sell again) shall buy or cheapen anie of the forementioned provisions untill it hath been two hours in the markett after the ringing of the bell, upon forfeiture of the same & six shillings, one half to the poore, and the other half to the clark of the markett.

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7°. That the Clark of the markett shall and may receive for all Cattle killed for the market, six pence p head; For everie sheepe, Calf or Lamb, Two pence per head; for everie hogg or shoat brought to the markett, or cutt outt for sale there, three pence; and that nothing shall be paid for what the countrie people bring to town readie killed.

8°. That the Clark of the markett shall & may receive for sealing of weights & measures one pennie for each, great & small.

Lastlie. That all persons Concerned shall duelie pay to the Clark of the markett the severall Rates, ffees & forfeitures aforesd, & that hee shall from time to time deliver to the overseers of the poore their parts therof; and that all Justices of the peace, sheriffs, Constables, and other officers, be aiding and assisting to him in the execution of his office. Given att philadelphia, the first day of October, 1693.

[24 Octobr, 1693.

Att a Councill Held att philadelphia the 24th day of October, 1693.

PRESENT:

WM. MARKHAM, Esq^{r}., Leivt. Governo^{r}.

Andrew Robeson, Robert Turner, } Esq^{rs}.
Wm. Salway, Lacey Cock, } Esq^{rs}.

Wm. Salway, esq^{r}., who was appointed Com^{r}. for the province, &c. to meet the Comrs. of the neighboring Colonies att Newyork, to Concert and agree upon a Quota of men & monie, &c., gave in to this board an acco^{t} of his proceedings, which was read and unanimouslie approved of, viz:

New york, Wednesday the 4th of 8br., 1693.

Pursuant to her matie's Commands, att the request and appointment of his excellie Benj^{n} fletcher, Governo^{r} & Capt. generall of New yorke, &c., to the rexive Governors of Virginia, Maryland, pennsilvania, New england, Connecticut & Roadisland, desiring them rexivlie to Commissionate and depute persons to meet here the first Wednesday of this instant October, to Concerte and agree together upon a Quota of men, or other assistance, to be given by each Colonie or province for the defence of New york, as occasion may require the same, Appeared Miles Cary, gentl., deputed from the government of Virginia; Wm. Salway, esq^{r}., deputed from pennsilvania; and Wm. pitkin, Esq^{r}., deputed from Connecticut; & appointed to meet to-morrow morning.

Thursday, October the 5th, 1693.

The above named Comrs. being mett, James graham, esq^{r}., appeared, deputed from his excellie the Governo^{r} of Newyork, requiring him to Lay before us the true and perfect state of this province, together with the great charge they have been Latelie att in securing the fronteers att Albany, from the attempts of the French. And also, to Lay down an estimate of the annuall charge that the sd fronteers may require for securing the same for the future: Wherupon they adjourned till friday att nine a Clock.

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FRIDAY, October 6^{t}, 1693.

The Com^{rs} being mett, Having before them the charge this province has been Latelie att in defending Albanie, its fronteers, & the estimate of the annuall charge for securing the same for the future, fell upon the Consideraon of pursuing her most gratious Matie's Comands in agreeing upon a Quota of men, or other assistance to be given by the rexive governments of Virginia, Maryland, pennsilvania, Connecticut, New england, & Road island, And their being a failure, no persons appearing from the governments of Maryland, New england, & Road-island, are of opinion that the sd Quota of men, or other assistance to be given, as aforesaid, Cannot be agreed on for want of persons deputed from the said governments, and doe accordinglie humblie represent the same to his Excellie the Governor, with the assurance of the readines of their rexive governments to pursue her sacred Matie's Commands in giving such aid & assistance, in men or otherwise, for the securitie of this province from the attempts of the French or Indians, as the Condion of the rexive plantaon shall permitt.

MILES CARY,
WILLIAM PITKIN,
WM. SALWAY.

Ordered, That the sd Wm. Salway be paid the remaind^{r} of his travelling charges allowed him by order of this board the first instant, viz: Twenty shillings per diem, Hee having been outt ten dayes; and for his Loss of time and service, six pounds; and that it be paid outt of their matie's moity of the pennie pe pound tax.

Charles pickering, in behalf of the widdow Wynne, having preferred a petion to the Leivt. Governor and Councill, setting forth that her Husband, Thomas Wynne, Late of Sussex Countie, deceased, had been Sumoned to the Court of New Castle, to ans^{r} the Complaint of Adam Short and others, But falling sick, dyed 3 or 4 hours befor Judgm^{t} past ag^{t} him att the said Court, and that the originall proces ag^{t} her husband was by a wrong name, and therfore requested that the execuon be stopt, and that the petionr have a fair tryall.

After debate upon this matter, and production of the Copie of the records of the Court of New castle, und^{r} the Clark's hand, wherin the petitioner's husband was written Thomas Guin, (but his true sirname was Wynne,) Resolved, that the whole tryall be referred to the next provinciall Court to be held for Sussex Countie, & that in the meantime execuon be suspended.

[9th Decembr, 1693.

Att a Councill Held att philadelphia the 9th of December, 1693.

PRESENT:

WILLIAM MARKHAM, Esqr., Leivt. Governor.

Andrew Robeson, } Esqrs.
Robert Turner, }
Pat. Robinson, Secrie.

John Chaffin, Mr of the Barque pearl, now ryding att anchor before philapelphia, having preferred a petion to the Leivt Governor & Councill, setting forth that ther is a sute depending between Jasper yeates, pltf. & the petitionr, in the Court of Comon pleas, & that he had waited on the sd Court for 3 dayes, but could not come to tryall, and that hee is informed by the Justices that by reason of the Limitaon of their Comission, they cannot anie longer hold the sd Court, and the petitionr being on a dispatch of his vessell before the frost shut up the river, Therfore Requested the Leivt. Governor & Councill to take the emergencie of this Case into consideration, & to appoint such speedie remedy as the occasion requires; And the Justices having sitt 3 dayes upon actions comenced befor this, & they thinking it unsafe to act contrarie to his Excellie's Comission, which Limitts their sitting to 3 dayes & no longer; And the Leivt. Governor having read to the Councill the 31 article of his instructions from his Excellie, which prohibited him to act with a Quorum less than 5 members, except in Case of necessitie, the Leivt. Governor and Councill Concluded this to be such; And upon examinaon of the Justices' Comission, which was dated the first day of May Last, It was found to Limit them to sitt 3 dayes & no longer, And it being compared with the Law published the 3d of June, 1693, which ordered the Countie Courts to be held and keept Quarterlie, and oftener if occasion be,

It was Resolved, That the Lievt. Governor should make such an Indorsement upon the back of his Excellies Comission to the Justices, that it might therby answer the end of the Law, which was done in these words:

pennsilvania, ye 9th of December, 1693. Wm. Markham, Esqr. Leivt. Governor of the province of pennsilvania, &c., by authoritie derived to me from his Excellie, with the advice of the Councill, doe (notwithstanding the Limitaon of the within Comission to 3 dayes and no Longer) hereby authorize you, the Justices within named, to keep yor Courts quarterlie, and oftener if occasion be, according to the Late Law.

WM. MARKHAM, Seal.

[19th Decembr, 1693.

Att a Councill Held att philadelphia the 19th of December, 1693.

PRESENT:

WM. MARKHAM, Esqr. Lievt. Governor.

Andrew Robeson, }
Robert Turner, } Esqrs.
Wm. Salway, }
Lacey Cock, Esqr.
Pat. Robinson, Secry.

His Excellies Lett^{r} directed to the Lievt. Governo^{r} & Councill, dated 7th decemb^{r} instant, was deliberatlie read; After which the Leivt. Governo^{r} said, that it was absolutlie necessarie that the governm^{t} should be Supported, & that the method proposed by his Excelly in the said Letter, was the most easie way to accomplish it; And therfore, earnestlie Requested the members of Councill, according to the rexive inflluence that each of them had on the people of the severall ranks and condions in the severall Counties, that they wold use their outmost endeavours before & att the elections, to persuade and advise the people to choose such representatives as may answer ther majesties & his Excellies Just expectations; for said hee, Wee have all some influence, some more some Less; And you that can give reasons to the people, & can resolve their doubts, It is your dutie to do it; and you must all use the best methods & your outmost interest for that end: for my part I shall not be wanting, as I am able. The Councill ansred that they wold doe their endeavour.

As to the Collusion in the assessment in his Excellies Letter mentioned, and his Excellies desire to have it rectified, & to know the state and amount of that affair, It was ansred by the Leivt. Governo^{r}, That hee and the Councill having formerlie heard of the assessors of Chester Countie, Their underrating the people, did write to them, and therafter they somewhat rectified it; And the Secrie told ym that by ord^{r} of the Lievt. Governo^{r} and Councill, dated the 19th 7br, 1693, hee wrote to the representatives & assessors of all the six Counties, to send in their rates to the Lievt. Governo^{r}, but had received none but from kent, philadelphia & Bucks; and Robert Turner, esq^{r}. said that hee had wrote to Bucks and Chester about the same.

Ordered, That the state and amount of the rate of each Countie be sent to his Excellencie, and the Lievt. Governo^{r} said that he wold write to ym that had not sent in their rates, That they should send them in Speedilie, att their outmost perrill: Which Letters were that day writt by the Secrie, signed by the Lievt. Governo^{r}, and sent by the Secrie to each of the deficient Counties.

Upon the petion of the Inhabitants of Radnor, requesting a road to be Laid outt from the upper part of the sd. townshipp of Radnor unto marion ford; And of Andrew Robeson & Lawrence Cock, Esq^{rs}., Requesting a confirmaon of the road that now is from marionford to philadelphia, and that it come into the third street in the sd towne,

Ordered, That a warrant from the Leiv^{t} Governor be directed to the Surveyo^{r} generall, to Lay outt the roads desired, and that the same may be Confirmed accordinglie, and that a return therof be made into the Secrie's office, in order to a finall Confirmaon of the same.

[Information ag^{t} Ann Le Tort.

Thomas Jenner and polycarpus Rose exhibited to the Leivt. Governor & Councill the informaon following, viz: The informaon of Thomas Jenner & polycarpus Rose, concerning some passages & discourses that hath been betwixt the french people here & some of the pennsilvania Indians:

1°. The Informant, polycarpus Rose, saith, That about 5 weeks since, this informant having some discourse with a certain Indian king called Hicquoqueen, The said Indian resented the unkindness of the English to the Indians here; and further said, that they were not Like to hold the Land much longer; for that they were not satisfied for it; and that the french told him that it wold not be long ere they wold buy their Land of them again, for the English had but borrowed it, and that they could not be so kind to them becaus of the English; and this was particularlie told him by peter Bassillion and madam Le Tort.

2'. The informants, Thomas Jenner and polycarpus Rose, say that about a month since they were in Compa. with Benjn Clift, att Zechariah Whitpain's plantaon, wher the said Clift said, that one Thomas Graves & hee being together, The Indians up Delaware told him that the French wold come in the spring of the year and burn the English, and take the Countrie for ymselves.

3'. peter Yokum also told ym, that since the Letters that the Indian woman discovered about a year agoe, ther hath been strange Indians come to Letort's plantaon, & sent away again, and gave no accot to the Indian king from whence they came or whether they went; peter Yokum saith that severall Indians told him so, viz: Shakhuppo, Kyentarrah's wife, Olemeon's wife.

4'. They further say, That upon the 9th of Decembr, 1693, They ryding by the house of madam Le Tort, polycarpus asked her hou shee did. Shee ansred, where have you been. Hee said, att peter Yokum's. Shee said, ther was no path for sweads or English rogues there, for no English Rogue nor swead should come on her ground; and run in a furie with a horse whipp & whippt polycarpus, and called for Lewis to help her, a french Canada prisoner taken by or Indians, and these informants and mounce Yokum wer forced to ryde away, for fear they should have been shott, but saw no gunn.

5'. polycarpus Rose saith, That about a year since ther was a packett of Letters sent from philadelphia from peter Basilion, Capt. Dubrois & madam Letort, to the strange Indians called Shallnarooners, Sealed up in a blue Linnen cloath, & was Left att James Standfield's plantaon by Richard Basilion's Servant, who then run away, and the Letters being there 3 dayes, James, the Frenchman, Came & caryed ym away, who then belonged to the persons abovesaid.

Signed, THOMAS JENNER,
POLYCARPUS, P. C. ROSE, his mark.

Dated the 12th decembr, 1692.

polycarpus Rose having sworn to the first article; Thomas Jenner having attested, & polycarpus Rose sworn to the 2d article; polycarpus Rose & peter Yokum having sworn, & Thomas Jenner having attested to the 3d article; polycarpus Rose having sworn, & Thomas Jenner having attested to the 4th article; And polycarpus Rose having sworn to the Last article of the sd Informaon,

Itt was ordered, that the sd Ann Le Tort appear att this board the 29th instant, & that Capt Dubrois and peter Bisalion, when they return from the Lower Counties, be sent for by a warrt to appear as above, to ansr to the said Complaint; And y^{t} the Indian king, Hicquoqueen, be sent for, Shakhuppo, kyantaro's wife, Olemeon's wife, mounce Yokum, & Lewis, the French Canada prison^{r}, also Benj^{n} Clift & Thomas graves; and y^{t} Capt. Cock take care to give ym notice hereof.

[29th Decemb^{r}, 1693.

The Leivt. Governo^{r} & Lacy Cock onlie present, Ann Le Tort appeared, in obedience to the ord^{r} of Councill, & was readie to ansr to y^{e} sd informaon, but none of the informers nor wittnesses appearing, shee humblie desired that shee might not be again sent for till the extremetie of the weather was over, shee having no person att home, remote in the woods, to be att her house in her absence.

PROVINCE OF PENNSILVANIA, AND COUNTREY OF NEW-CASTLE.

Minutes of Councill in the Assembly, Anno R. Ret. Ræ Willielmi et Marie Angliæ, &c., Quinto.

[15th May, 1693.

Att a Councill Held at philadelphia On a Moonday the 15th of May, 1693.

PRESENT:

His. Excell. BENJAMIN FLETCHER, &c.

William Markham, Esq^{r}., Livet. Governo^{r}.

Andrew Robeson, Robert Turner, Pat. Robinson, Esq^{rs}.

Lawrence Cock, Wm. Salway, Wm. Clark, Esq^{rs}.

The persons Returned for Representatives being in number Twenty, viz: foure for the County of philadelphia, three for the County of Bucks, three for the County of Chester, foure for the Countie of New castle, three for the County of kent, & three for the Countie of Sussex, came to wait upon his Excell. in Councill, and wer admitted

Six of them took the oaths appointed by act of parliament to be taken instead of the oaths of allegiance & Supremacie, & subscribed the test; the other fourteen did Subscribe the declaraon of fidelitie, profession of the Christian faith, and Test.

After which His Excell. did speak to them as followeth, viz:

Gentlemen: Before you goe to the Choice of your Speaker, I think it Convenient to Let you see by what authoritie you are Convened: my reason is, becaus I observed some commissionated by your proprietor did withdraw themselves att the publishing of their Maties' Comission; others have refused to act under that power, and manie of you wer absent att that time.

Then the Clark, by his Excell. order, did read the Commissions, Upon which his Excell. Continued to say:

Gentlemen: You see by the Clauses of these two patents relating to Assemblies, that you are all obliged, befor you can be qualified to sitt, to take these oaths prescribed by Law. Yet I have some Latitude in my Instructions, which enables me to admitt such to act in the government as for Conscience sake refuse an oath, and are yet willing to make their protestation and subscribe the Test, &c.

It has ever been my endeavour & desire to act soe as that all people under my care might be in Love with their maties' governm^t & Laws, and am therfor willing to allow such to sitt in this house of representatives, as are chosen by the freeholders of the rexive Counties, who not being free to take an oath, are willing to perform the other obligations: provided this be entred in the Journalls of your house as an act of grace from their majesties, and not taken as a president.

Gentlemen: I must add, If there be anie amongst you who doe not take an oath, whom you cannot own as members of yo^r Comunion, but may, under that pretence, shelter themselves from what the Law requires, pray Let me know them, otherwise you will bring a blemish upon yo^{r}selves by Countenancing Hypocrites. And in this matter I expect you will be plain, and answer for such men, if anie there be, who for private ends put on a false dress.

And I desire you to provide a Clark to keep the Journalls of your votes and other proceedings; That you cause him particularlie to enter in his book, That your being admitted to sitt upon Subscriptions without an oath, is an act of grace, and not to be insisted on as a right, and for the future taken in president.

Your Clarke must also take care to give me a Copie of everie daye's votes and Minutes the night following.

Then bid them withdraw to some Convenient place & choose their Speaker, whom he wold be readie to see morrow morning.

Adjourned till Nine a Clock morrow morning.

[16th May, 1693.

Att a Councill Held att philadelphia on Tuesday the 16th of May, 1693.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esqr, Livet. Governor.

Andrew Robeson, Robert Turner, Pat. Robinson, Wm. Salway,	Esqrs.	Lawrence Cock, John Cann, Wm. Clarke,	Esqrs.

The Governor & Councill being mett, Joseph Growdon, accompanied by the whole number of Representatives for the province of pennsilvania, &c. presented himself to his Excell., Acquainting his Excell. that the Representatives here present had made Choice of him for their Speaker; That it was a great Charge & trust, & more then he Could Conceive himself capable of; Therfor moved that his Excell. wold Command the representatives to return to their house & choose some fitter person.

His Excell. made ansr: Sir, The Latter part of yor speech proceeds from yor modestie. You are their Speaker, and gentl. I doe approve of yor Choice. I have had a good character of you, Sir, and if I had been to Choose a Speaker from amongst ye representatives returned for this occasion, I had pitched upon you as best qualified.

Then his Excell. addressing to the speaker & Representatives, Said: I have sundrie things to offerr to yor Consideraon, But shall only insist upon two att present.

1°. You know that governmt, if it be not supported, becomes precarious, void, & ends in nothing.

2°. Gentl., Here is a Lettr directed to me as Gor of this province, from her Matie, qrof you shall have a Copie. The province of New york has been a long time burdened with a troublesome warr, (if it may be called a warr, for Indeed the French and Indians in Canada are a pittiefull enemie, if they could be brought to fight fairlie, but the wood, swamps and bushes gives them the opportunity of vexing us.) You will see by this Letter their maties' Comands, and what is expected from you towards the assistance of that province.

Gentl., If ther be anie amongst you that Scruple the giving of money to support warr, ther are a great manie other charges in that govermt, for the support yrof, as officers Sallaries & other Charges, that amount to a Considerable sum: Your money shall be converted to these uses, & shall not be dipt in blood. The monie raised there for the support of the govermt shall be imployed for the defence of the fronteers which doe give you protection.

I wold have you Consider the walls about yor gardens & orchards; yor doors & Locks of yor houses; Mastiff doggs & such other things as you make use of to defend yor goods & propertie agt theeves & robbers are the same Courses that their maties take for their forts, garrisons & Souldiers, &c. to secure their kingdoms & provinces, & you as well as the rest of their subjects. I speake the more to this matter becaus I have their maties' Command, which Lyes now here before you.

And gentl., If you will propose anie thing for yo^{r}selves, whether the Confirmation of former Laws or other new Laws, for the advantage and benefit of the people whom you represent, provided they doe not derogate from, or doe not appear in opposition to the Laws of England, you shall find my readie Concurrence.

I hope you will Consider to satisfie their Maties' just demands and expectations. Time is of great value to me. Their maties' affairs call me to the fronteers; therfore desire you speedie dispatch of what is before you. You may return into your house and Consider therof.

M^r Speaker said: I have something to offer to thee, Governo^r, on behalf of the representatives.

His Excell. asked: how could that be, befor you are a house, You being just now presented to me for Speaker; How could you have anie time for debates, unless you had had some private Consults before you wer a House.

M^r Speaker ansred, That what hee had to offer was an omission of what hee proposed to say formerlie, and introductory to their bussines, in ordr to their dispatch.

His Excell. bid him say on.

Then M^r Speaker desired that they might have free access to his Excell. person, a favourable construction putt upon their words, & be free from arrests, with the other priviledges of an Assembly.

His Excell. made ans^r: You have all the priviledges of a house, But I must again mind you to provide a Clark to keep a Journall of yo^r votes and proceedings,& I doe expect Hee shall everie night, during your sessions, Let me have a Copie of the votes of yo^r house the preceding day. I wish you to Consider their maties' service, your owne safetie, & the prosperitie of the province; which on my part shall be allways vigorously endeavoured.

M^r Speaker Replyed, They had provided a Clark. Then returned his Excell. thanks, and withdrew with the Representatives to their House.

His Excell. sent to Inquire of the Speaker, if hee believed their house wold have any thing to offer to his Excell. and Councill this forenoon.

The Speaker sent in ans^r, that hee did not know, & desired by the same messenger to have a Copie of his Excell. Comission, so farr as concerneth the power of assemblies; Which his Excell. Caused to be copied outt of the Originall by the Secrie, and sent unto them.

The messenger returning, told his Excell. that the Speaker told him hee believed they wold want a Copie of the whole, and that some of the representatives desired to see the originall.

His Excell. sent the same person to tell ym that they should have a Copie of the whole to-morrow morning; And if M^r Speaker wanted to peruse the originall in the meantime, It will be granted: provided, the person his Excell. sends it by be admitted to be present att his reading yrof, and bring the same back to his Excell.

Ordered, y^t^ Patrick Robinson, Esq^r^., doe forthwith prepare a Copie of their maties' letters patents to his Excell. Benj^n^ fletcher, for the perusall of the Assembly.

Adjourned till morrow morning.

[17^th^ May, 1693.

Att an Assembly held att philadelphia On Wednesday the 17^th^ of May, 1693.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq^r^., Livet. Go^r^.

Andrew Robeson, Rob^t^ Turner, Lawrence Cock,	Esq^rs^.	William Clarke, George Forman,	Esq^rs^.

His Excell. did acquaint the board, that ther wer two gentl. of the Councill of Newyork in town, To witt: Chidley Brooke, Esq^r^., and Wm. Nicholls, Esq^r^.: That the Councill of New york, by their Maties' Letters patents for the governmt. of this province & Countrey, have an interest in the goverm^t^ of this province and Countrie, upon his death or absence, & of the Comand^r^ in Cheif Commissionated for Newyork; Therfor his Excell. is desirous that they be present in Councill here, which was approved.

And his Excell. did send for them accordingly.

The Assembly sent some of their house to know if his Excell. wer at Leisure to receive them, Having something to offerr. His Excell. told ym that he waited for y^e^ Assembly.

The doorkeeper did acquaint his Excell. that M^r^ Speaker and the representatives did desire access, which was granted. M^r^ Speaker addressed himself to his Excell., & said:

May it please the Go^r^, The house having something to offerr to the Go^r^, for the help of my memorie, have putt it in writting: may it please the Governo^r^ to Let me read it. Which was granted. Then the Speaker read:

To BENJ^n^ FLETCHER, Esq^r^., Capt. Generall and Governo^r^ in Cheife in and over the province of pennsilvania & Countrey of Newcastle, &c.

The humble address of the freemen of the said province and Countrey of New Castle, &c. in Assembly mett, sheweth:

That since it Hath pleased the king & queen that the absence of the proprietarie's personall attendance in this govermt. should be supplied by thee, or by thy Livet., Wee, the Representatives of the freemen of this province and territories, with due respect to the power of thy Comission, and heartie acknowledgement of thy good will, care & tenderness to us, doe readily acquiesce with the king's pleasure therin, Earnestlie beseeching that our procedure in Legislation may be according to the usuall method and Laws of this government, founded upon the Late king's Letters patents, Which we humblie Conceive to be yet in force; And therfore, wee desire the same may confirmed unto us as our rights and Liberties. And wee, with all faithfulness and sinceritie, doe give what assurance wee are capable of, in the present Circumstances wee are under, to answer the Queen's Lett^r and thy request, according to our ability.

His Excell. made answer, That this address Hath been drawn up with much deliberation, and by the most Learned in their Countrey, and it cannot be expected that I can give you an Imediate ans^r. I shall give you my ans^r in writting, But att present I must tell you, Gentl., You are verie much mistaken in alledging yo^r Laws to be in force, and at the same time, in yo^r present station, to desire a Confirmaon of ym. If in force, what need's my Confirmaon? Consider by what power you are convened here: You are either a Law'll Assembly & Legally calld, or an Unlaw'll meeting att the best, & we are doing nothing. If the Laws made by virtue of M^r penn's charter be of force to you, and can be brought in Competition with the great Seal of England that comanded me hither, I have no bussines here. There is therfor nothing Left for you but to own the king's authoritie, or disown it. There cannot be two establishments of government, in opposition to one another. I wold have you satisfied in that point. I have an abstract of yo^r Laws by me, & manie of ym are repugnant to the Laws of England. By yo^r Constitution formerlie, the people wer to Choose the provinciall Councill: The king hath allwayes the power of Choosing his owne privie Councill, which is reasonable, for he is the best judge who are Capable to serve him. By your former Constitution the people wer to Choose representatives, who wer to have a negative voice in passing of laws, which is allwayes Lodged in the king, and for the present time granted unto me by their maties' Lres. patents. By your former Constitution the people did present to the Go^r a double number of Sheriffs, Justices of the peace, & I have the power of Commissionating & appointing officers, & manie other things in yo^r former constituons and Laws, repugnant to the Laws of England, too tedious to enumerate; which are altogether Contradicted by their maties' Letters patents. I doe understand that it is the opinion of the Learned in the Law, That the Revenue of the Crown; The making of Laws; The power of Life & death; arming of the subject, & waging of warr; which wer granted to M^r penn, are the Reglia of the Crown & cannot be demised; as in case of an entailment, they are entailed upon the successor: you have heard of an entailed estate: the father is only tenant for life, & cannot demise it from the son; if he grant it for Longer than Life, it is void, & the son shall recover his estate. If there be anie Lawyers among you, they can informe you king Charles' grant of these things might be good to you during his life, becaus he might maintain his own act; But since his death they are become utterlie void. I wold have you advised of this point. These Laws and that model of goverm^{t} is dissolved & att an end: you must not halt between two opinions. The king's power and M^{r} penn's must not come in the scales together.

But gentl., As I said before, when you did present yo^{r} Speaker, If you doe propose anie Laws for yo^{r} owne Conveniencie and safetie, I shall readily Concurr with them, If they be not repugnant to the Laws of England.

Mr. Speaker Replyed. That he was a servant to the representatives, & and had not yet received their minds; but this one thing he durst venture to say for ym, That they had a good affection for the king & Queen, & wer sensible of the great duty that Lay upon ym, & as they wold not be wanting yrin, soe they wer willing to know that their former charter is in a Lawfull way att an end: king Charles the 2^{d} granted the power by which the Charter was founded, which grant being und^{r} the great seal, perhapps they may think that in Justice it ought to be maintained, being the king's grant.

His Excell. in answer said. I hope your affections to their maties are good. My Custome is to speak the thoughts of my breast, & wold believe so of everie man untill I find the contrary. I wold have you have a tender regard to yo^{r} dutie. The Question is short, either you must stand by their maties Comission for the goverm^{t}, or Mr. penn's Charter; for you see they are in opposition to one another. Consider what I have alreadie said, and be resolved in this point. As for the propertie and the estate of the proprietor, you shall find me allwayes readie to advance his interest during my administraon. Gentl., I never sought to come here. I have enough to doe in the nighbouring province, wher I have a fronteer garrison & an enemy to Look after. I am come by their maties comands, and their government I will maintain, pursuant to their Letters patents. Therfore, pray Consider and dispatch an ansr. I am in haist to be gone upon their Majesties affairs.

Whereupon they withdrew. Two of the Representatives did signifie to his Excell. that their house wold have nothing to offerr this forenoon; That they wer desired by their house to ask a Copie of the Governor's Comission & his answer to their address, in writting.

The answer given in writting, by advice of the Councill, is as followeth: philadelphia, the 17th of May, 1693. Gentl., I have, with the Councill, considred yo^{r} address, and am sorry to find yor desires grounded upon so great mistakes. The absence of the proprietor is the Least cause mentned in their Maties Lres. patents for their Maties asserting their undoubted right of governing of their subjects in this province; there are reasons of greater moment, as the neglects and miscarriages in the late administration: The want of Necessarie defence ag^{t} the enemy & danger of being Lost from the Crown.

The Constituon of their Maties goverm^{t} & that of M^{r} penn's are in a direct opposition the one to the other. If you be tenacious in sticking for this, it's a plain demonstration (use what words you please) that indeed you declaine the other. I shall readily concurr with you in doing anie thing may conduce to yo^{r} safetie, prosperitie and satisfaction: provided yo^{r} requests are Consistent with the Laws of England, their Maties Lres patents, and the trust and Confidence their Majesties Have reposed in me. Time is verie precious to me. I hope you will desist from all unnecessarie debates, and fall in earnest upon those matters I have alreadie mentioned, & still have to recommend to you, and for which you are principallie Convened together. Signed by his Excell. Order.

DAVID JAMISON, Ck. Concily.

His Excell. did deliver this ans^{r} in writting, with the Copie of his Comission, to M^{r} Jamison, and ordered him to deliver it to the speaker, and to tell the Speaker from his Excell., that hee had sent them an attested Copie of his Comission for their satisfaction: That his Excell. had made many steps of Condescention to them which he had not done in another goverm^{t}, & was not presidentiall, that they might have no hindrance nor obstruction in their maties' service. The Question is short, whether they wold owne their Maties' Lres patents, or M^{r} penn's Charter. That his Comission was recorded with the Secretarie, where they may have recourse to it, and that hee expected they wold return that Copie when they had perused it. Which was accordingly performed by M^{r} Jamison, and the Councill adjourned till foure a Clock afternoon.

POST MERID.

Att a Councill Held att philadelphia the 17th of May, 1693, 4 a Clock afternoon.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq^{r}. Livet. Go^{r}.

Andrew Robeson,
Rob^{t} Turner,
Lawrence Cock,
Wm. Salway,
} Esq^{rs}.

John Cann,
Wm. Clarke,
Geo. Forman,
} Esq^{rs}.

His Excell. ordered M^{r} Jamison to wait upon the house of representatives & Signifie the Gor. and Councill wer mett, and no other thing befor them than to receive what they had to offerr, & desires to know if anie thing might be expected from ym this evening; Which was done.

M^{r} Speaker's ansr. was, that they had agreed upon something, to his Excell. shortlie to be offered.

An Houre after his Excell. ordered M^{r} Jamison to goe again to the house of representatives, & to tell M^{r} Speaker that his Excell. had tarryed a Long while, & desires to know if hee might expect anie thing from them this evening; Which was done.

M^{r} Speaker's answer was: something hath happened of difficultie befor them, which occasioned some debate & hath taken up some time, but now is over; wee are come to a conclusion: If the Governor will tarry one half houre, He beleived they wold be readie to wait upon the Governor: perhapps within a Quarter of an houre.

The doorkeeper did inform his Excell. yt Mr Speaker and the representatives did desire access; which was granted. Mr Speaker said:

May it please the Governor, there happened some difficultie which occasioned some debate amongst us; Wee are now come to a Conclusion: Wee ask that the Gor will excuse us for making soe Long stay. Wee hope that this matter being over, wee shall proceed to give satisfaction to the king & Queen's demands & thy desire. Wee have agreed to two votes, which are in writting, for the help of my memorie. I cannot much Commend our Clarke; please, Gor, to excuse that it is not writt fair over.

His Excell. Mr Speaker, if you Leave it with me, I will cause writt it fair over.

Mr Speaker. May it please the Governor to Let me first read.

His Excell. You may.

Mr Speaker read: philad. ye 17th of ye 3d Mo., 1693. It was putt to the Question, whether it be the opinion of this house, that wee may saflie act in Legislaon in Conjunction with the present Gor, according to the king's Letters patents. Caried in the affirmative, Nemine Contradicente.

It was also putt to the Question, Whether the following Clause be added to the Last vote, viz: provided, that the aforesaid Resolve may not be Construed, deemed or taken to our prejudice, but that wee may have the benefit of being governed by the Laws & constituons of this govermt, so farr as is consistent to the tenor of the king's Lres patents to our present Gor Fletcher, and that our proceedings therin is in Conformitie to the king's pleasure, and not the Least apprehension of anie forfeiture of our rights.

Resolved in the affirmative, Nemine Contradicente.

His Excell. Mr Speaker & you gentl., To yor first vote you have been a Long time in answering a plain Question, but have come to a Conclusion att Last. I am glad that you have agreed to submitt to their maties govermt with a nemine Contradicente.

To the second part I must take some time to consider before I can give you an ansr; please Sir, to Leave the paper with me. Gentl. you shall find me allwayes stedfast to what I promise you; That is, when you have Considered to draw up what Laws may be for your Conveniencie and safetie, provided they be not repugnant to the Laws of England and their maties Lres. patents, I shall be readie to give them that sanction which their Maties have Impowred me to give. But in yor former Law book I find sundrie Laws that are altogether repugnant to the Laws of England, and seem to supersede them, viz: the 9th Law, Sodomy & Bestiality; 10th Rape; 16th burning of houses; 96t stealing of hoggs & other Cattell; 109th estates of persons deceased; 117th manslaughter; 116 marriages; 171 Mr penn's person. I am informed there is a person amongst you brought up in the Law in England, who can inform you. Therfore, you must not expect that I will pass those Laws into acts.

M^r^ Speaker. May it please the Governo^r^ to give us a list of these Laws the Governor is pleased to think repugnant to the Law of England.

His Excell: you may have it. Gentl. Besids what I have alreadie offered unto you, There is an Act ag^t^ pyrats and privateers, with Limitaon of time for their coming into the province, & entring into bonds for their future good behaveour, which was drawn in England & sent with me to be enacted in Newyork: pirates and privateers may become good men att Last, and the design of that Law is to draw them from their evil courses, that they may become good subjects & inhabit amongst us, to help our governm^t^: It is enacted in Newyork: there needs no other alteraon than the alteraon of time for their coming in, & the name of the province; you may Lengthen the time as you find most for yo^r^ good. I hope it will meet with no opposition.

There is also another thing which I recommend to you, which no person I believe will object ag^t^, & that is the settling of a post office, which is intended to continue by Land from Virginia to Boston in New-england; It will be a great Conveniencie to all trading men, & a satisfaction to everie one. It was recommended to me by the Queen's Letter to be promoted in Newyork, and is setled there, and in New England, by act of Assembly. Here is a Copie of the Queen's Letter & manner of its settlement, for yo^r^ perusall.

M^r^ Speaker. May it please the Gor. to Let us have the perusall of those things that relate to our priviledges & Liberties, that we may have them under our consideration along with these things.

His Excell: you shall have ym, & I will readilie concurr to anie thing that may not be repugnant to the Laws of England & the trust comitted to me by their maties Lres. patents.

M^r^ Speaker. May it please the Governo^r^, Wee hope ther will be a good agreement, and we will endeavour to give satisfaction to the king and queen's demands, and the Governor's desire. Wee are readie to show our good affection.

His Excell. I am glad to hear that you are soe well inclined, and that you have gott over that rubb that was in the way; you shall allwayes find me according to my word, and I wold have everie man soe. Therefore, putt away all jealousies, that wee may go on cheerfullie and Unanimouslie in those affairs for which you are Cheiflie Concerned, without loss of time.

John White. May it please the Go^r^ to give me leave to speak one word: There is one thing more which may have escaped the Speaker's memorie, and that is, To ask thee to grant that when there doth arise anie doubt or question amongst us, The Go^r^ will grant us that some of the Councillors may be appointed to Conferr upon such doubts and questions as may arise.

His Excell. M^r^ White, Its not a man of words, noise and contention, that I affect, but a man of sense, gravitie and discretion, that knows how to propose things in due time and manner: When there is occasion to resolve anie doubt or question, or to explain anie misunderstanding, When I shall be made acquainted yrof by the Speaker, I shall be allwayes readie to appoint a Comittee of the Councill for that purpose.

Mr Speaker. May it please the Gor to excuse this man, for it was discoursed of some time this day in our house, though if I remember right, it was not given me in charge with the other things when I came outt.

His Excell. It is well, Mr Speaker. Gentl., I wold have you to make what dispatch you can of what I have given you in charge. I hope ther will be a good understanding betwixt us. I wish you well.

The Speaker & representatives withdrew.

Adjourned till morrow morning, eight a Clock.

[18th May, 1693.

Att a Councill held at philadelphia on Thursday the 18th of May, 1693.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esqr., Lt. Governor.

Andrew Robeson,
Robt Turner,
Lawrence Cock, Esqrs.

William Salway,
William Clarke,
Geo. fforman, Esqrs.

His Excell. sent Mr Jamison to the house of representatives with the Copie of their vote, which they delivered to his Excell. Last night, and desired to know if they had anie thing to offerr this forenoone.

Two of the representatives from their House did signifie to his Excell. that they did beleive there will be nothing to offerr this forenoone, and desire a List of the acts which the Gor did mention Last night to be repugnant to the Law of England.

His Excell. did say: I am no Clark; you have the Laws amongst you; What I have by me is only some minutes which I have extracted outt of yor Law book, for the help of my memorie; But I will remove all excuse for delay: You shall have it; pray let ym dispatch.

The List and number of Laws wer Immediately given them.

Adjourned till 4 a Clock afternoon.

[22d May, 1693.

Att a Councill Held att philadelphia on Moonday the 22d of May, 1693.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

Andrew Robeson,
Robt Turner,
Pat. Robinson, Esqrs.

Lawrence Cock,
Wm. Clarke, Esqrs.

His Excell. did signifie that the delayes of the Assemblie did wearie him, their Maties' affairs calling for his attendance else where, and desired their advice whether hee should send to them or not. It is the opinion of the Councill, that his Excell., if he think convenient, may send to them to know if they will Have anie thing to offer this evening & to desire them to dispatch; Which was ordered accordinglie.

Adjourned till eight a Clock morrow morning.

[23d May, 1693.

Att a Councill Held att philadelphia on Tuesday the 23d of May, 1693.

PRESENT :

His Excell. BENJAMIN FLETCHER, &c.

Wm. Markham, Esqr., Lt. Governor.

Andrew Robeson,	Esqrs.	Lawrence Cock,	Esqrs.
Robert Turner,		Wm. Clarke,	
Pat. Robinson,		Geo. Forman.	

His Excell. did order Mr Jamison to wait upon the House representatives, and tell Mr Speaker that it's now the 9th day of their sessions & Little or nothing done, (other assemblies have dispatched more business in Less time,) To know if they have prepared any bills, and once more to desire their dispatch.

The Speaker made ansr: That they wer dispatching. That the Governor must not take it amiss that they are so tedious, being putt outt of their old methods. Formerlie the Councill did prepare the Bills & send ym to the representatives for their assent, and now it is putt upon ym to prepare ym. That they are now agreed of something concerning their Laws, which they believe they shall offerr to the Gor this morning.

Resolved, It is convenient to demand the Rolls of the former Laws from the late Mr or keeper of the rolls of this province by two of the members of Councill.

Ordered, That Andrew Robeson and Wm. Clark, Esqrs. doe demand of the late Mr or keeper of the Rolls of this province, That forthwith hee either bring or send the rolls of the former Laws of this province to the Councill board.

His Excell. did send Mr Jamison to the representatives, to Inquire if they had anie thing to offerr this forenoone, or when they would.

The Speaker's ansr was, That they wer running over the body of Laws, & making alteraons as they could agree, & believed nothing wold be offered this forenoone.

Adjourned till 4 a clock afternoon.

POST MERID.

The 23d May, 1693, 4 a clock afternoone.

PRESENT:

His Excell. BENJAMIN FFLETCHER, &c.

Andrew Robeson, Robert Turner, Pat. Robinson, Lawrence Cock, Esqrs.
Wm. Salway, Wm. Clarke, Geo. forman. Esqrs.

His Excell. in Councill, Having tarryed two hours, did Order Mr Jamison to wait upon the house of representatives to know if they had any thing to offer wt'in this halfe houre.

Mr Speaker ansred, that they only tarryed for their Clark, who wold verie soon have done with his writting.

Adjourned to 8 a Clock morrow morning.

[24th May, 1693.

Att a Councill Held att philadelphia on Wednesday the 24th of May, 1693.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

Wm. Markham, Esqr., Livet. Governor.

Andrew Robeson, Robert Turner, Pat. Robinson, Law. Cocke, Esqrs.
William Salway, William Clarke, Geo. Forman. Esqrs.

Andrew Robeson & Wm. Clark, Esqrs. did return, That in pursuance of the order of Councill yesterday, they did demand of Mr Loyd, Late Mr of the Rolls, either to bring or send the rolls of the former laws of the province to the Governor and Councill, And that his ansr was: That hee never did enroll anie Laws; there was not, nor hath hee ever had anie warrant for soe doing.

The door keeper told his Excell. that a messenger from the house of representatives comes to know if the Gor be readie to receive ym, who was ansred that his Excell. hath been readie these two hours.

Mr Speaker and the House of representatives being present, Mr Speaker said: May it please the Gor to excuse our delayes, for wee are putt upon new methods, which wee are not yet acquainted with, & are not negligent nor disrespectfull to the Governor: Wee have had about 200 Laws to review: Wee have now brought thee a Bill, which wee desire the Governor will be pleased to pass into an act.

His Excell. What is the title of it?

Mr Speaker Read a direction to the Governor, with his titles.

His Excell. What is the substance of it?

M^r Speaker. It is our desire that the Governor wold Confirm our former Laws to us. If the Governor please to give me Leave to read it. Granted.

To Benj^n Fletcher, Cap^t. Generall and Governor in Chief in and over the province of pennsilvania and Countrey of Newcastle, &c.

Wee, the freemen of the sd province & Countrey in generall assembly mett, Humblie Shew:

That wheras, the Late king Charles the 2^d, in the 33^d year of his reign, by his letters patents under the great Seal of England, did for the consideraon therin mentned, grant unto Wm. Penn & his assigns, this Colonie or tract of Land, thereby erecting the same into a province, calling it pennsilvania, and Constituting the sd Wm. penn absolute proprietarie of the sd province; (saving amongst other things the soveraignty therof;) Therby also granting unto the sd Wm. penn, his deputies or Livets, by virtue of the said Royall charter, full, free, & absolute power, by and with the assent of the freemen of the sd province, to make, enact and publish any Laws whatsoever, for anie end, appertaining either to the publick state, peace or Safetie of the sd. Countrey, or unto the private utilitie of particular persons, according to their best discretion; Which Laws, so as aforesaid made and published, the sd Late king did by the same enjoyn, require & command, should be most absolute and available in Law, and that all the Liege people and subjects of the said Late king, his Heirs & Successors, should observe and keep the same inviolable in these parts; But that the Laws for regulating & governing propertie within this province, and Likewise as to felonies, might be & continue the same as they should be for the time being, by the generall Course of the Law of England, Untill the said Laws should be altered by the sd. Wm. penn, and by the freemen of the said province, their delegates or deputies, or the greater part of them: And to the end the sd Wm. penn or the inhabitants of this province, might not att anie time therafter, by misconstruction or colour of the powers aforesaid, or by pretence of the said Laws therafter to be made, should thorou inadvertencie or design, depart from that faith or allegiance which by the Laws of England they and the king's Subjects in his dominions allwayes owe to him, his heirs & successors, Hee, the said Late king, did by his sd Lres patents, declare it to be his will & pleasure, that a duplicate of all the Laws soe as aforesaid made & published, should, within five years after the making therof, be transmitted and delivered to the king's privie Council for the time being; and if anie of the sd Laws within the space of six Mo's. after, (by the said king, his heirs or Successors, or his or their privie Councill,) inconsistent with the Soveraignty or Laull prerogative of the sd king, his Heirs & Successors, or contrarie to the faith and allegiance due to the legall government of England from the said Wm. penn, or the planters and Inhabitants of the said province, and that therupon any of the sd Laws wer adjudged and declared to be void by the said king, his heirs & successors, under his or their privie seal, That then, and from thenceforth, such Laws concerning which the sd Judgment and declaraon wer made, should become void, otherwise the Law so transmitted should remain and stand in full force, according to the true intent & meaning therof: By virtue of which Letters patent, & pursuant to the powers, provisoes and restrictions therin specified, divers reasonable and wholesome Laws wer made, transmitted & presented to the said king and privie Councill: And wheras, the king and Queen that now are over England, &c. by their Lres patents, under their great Seal, dated the 21st of Octobr, in the 4th year of their reign, Having for the reasons therin mentioned, taken the governmt of this province and Countrie into their owne hands, & under their Immediate care & protection, did think fitt to constitute and appoint thee, the sd Benjamin Fletcher, to be their Capt. Generall & Governor in Cheife in and over the same, Thereby Requiring thee among other things, to doe & execute all things in due manner that shall belong to thy comand & the trust reposed in thee by the sd king & Queen, according to such reasonable Laws & statutes as then wer in force, or therafter should be made & agreed upon by thee, with the advice and Consent of the Councill & Assemblie of this Countrie.

Now, forasmuch as the Laws of this govermt soe made & transmitted as aforesaid, Have not been hitherto adjudged or declared, (either by the Late king & Councill, or by his Successors, the sd king & Queen, & their Council, under his or their privie Seal,) to be void, soe that such of the sd Laws as wer not discontinoued or repealed by the Legislative authoritie of this govermt are still in force. And seeing it hath pleased the king & Queen so tenderlie to regard the happie govermt and comfort, as well as protection of this province & Countrie, as to Conserve these our Laws and Constitutions, so fittlie accommodated to our circumstances, with respect to tender Consciences, as well as Commerce and Cultivation, Wee can doe no Less than with gratitude & sinceritie acknowledge their Royall bountie and peculiar favour therin, Earnestlie desiring that thou wold be pleased, according to the Tenor and most favourable direction of thy commission, to govern us & Cause the administraon of Justice within this governmt to be agreeable with these following Laws, which are now in force, as aforesaid. Viz:

The first Chapter of Laws, concerning Libertie of Conscience.
The 2d, concerning the qualificaons of members of Assemblie.
The 3d & 4th, agt. Swearing.
The 5th & 85th, agt prophane speaking.
The 6th, against Cursing.
The 7th, against adultery.
The 8th, against Incest.
The 12th, 83d & 169th, agt drunkennes & drunkards.
The 14th, agt drinking Healths.
The 20, agt Rioters.
The 22d, agt Menacing of Magistrats.
The 24th, agt assaults.
The 26th & 27th, agt rude sports, plays & games.
The 30th, agt Spreaders of false news.
The 35th, about the dayes of the weeks & Mo's.

The 37th, about pleadings in English.
The 39th, 123d & 150th, about Fees.
The 42d, 74th & 167th, about arrests.
The 45th & 46th, about wills.
The 54th, about prisons.
The 56th, about the manner of punishment.
The 59th, about Taxes.
The 66th, about Summons & Court proceedings.
The 75th, agt Barretors.
The 77th, about Orphans Court.
The 80th, about 7 years quiet possession.
The 82d, about Counterfittings hands or Sealls.
The 90th, about taking away boats or Cannoes.
The 11th, Against polygamy.
The 13th, agt such as suffer drunkennes in their houses.
The 17th, agt breaking into houses.
The 19th, agt forcible entrie.
The 21st, agt menacing parents.
The 23d, agt menacing Mrs Mrises.
The 25th, agt Challenging to fight.
The 28th, agt Sedition.
The 31st & 121, agt scolding.
The 31st, about trialls by 12 men.
The 41st, about defalcation.
The 43d, about verball contracts.
The 50th, agt defacers of Charters.
The 53d, about goalers.
The 55th, about false imprisonment.
The 58th, about free elections.
The 64th, about Libertie & propertie.
The 72d, agt derogators of Judgments of Courts.
The 74th, about making debtors pay by Servitude.
The 79th, about acknowledging deeds in Court.
The 81st, about Countie Sealls.
The 84th, about Vending pype staves.
The 91st & 184, about fences.
The 94th, About fyring the woods.
The 96th, About Hog-stealing.
The 101st, About the house of Correction.
The 108th, About departure out of the prov.
The 114th, About buying land of ye natives.
The 119th, About binding to the peace.
The 125, About assigning bills & spetialties.
The 131st, About shipwreck.
The 134th, About passes.
The 136th, About attatching & passes.
The 138th, About trucking wt servants.
The 146th, About sumons of Juries.
The 164th & 165, about robbing & stealing.
The 166th, About appraisers.

The 177th, About Juries not appearing,
The 178th, About removing Land marks.
The 183d, About tannd Leather.
The 188th, About the sale of intestates' Land by the widow or adm^r.
The 190th, About the dyke at New castle.
The 199th, About rangers.
The 201st, About the registrie keept by religious societies.
The 203d, Concerning the Surveyo^r generll's fees.
The 100d, About Cart wayes.
The 102d, About weights & measures.
The 118th, Ag^t murder.
The 120th, About fornication.
The 126th, About bills of exchange.
The 122d, About trusting mariners.
The 134th, About selling servants out of the province.
The 137th, About Harbouring servants.
The 157th & 180, about runaway servants.
The 144th, for Countrie produce to be Curr^t pay.
The 149th, about exporting horses.
The 156th, about monthlie Courts.
The 169th, about Licenses for ordinaries, and ag^t disorders in alehouses.
The 181st, about debts payable in Country produce.
The 187th, about Usury.
The 189th, About taking Land in execution for debts, &c.
The 194th, Ag^t wittnesses refusing to give evidence, being sumoned.
The 200d, About determining debts under 40s.

All which said Laws and Chapters, & everie part yrof, Wee Humblie desire that thou will be pleased to cause thy officers & ministers to observe and putt in due execuon, as they tender the Honour of God, the king's Comands, the prosperitie of this government, and the rights and Liberties of the free people therof. Signed in behalf of the House.

JOS. GROWDON, Speaker.

His Excell. M^r Speaker, Leave it with me. This is a tedious bussines and all to no purpose: where are the rolls of these Laws? You have brought me no Bill: And I am informed that these Laws wer never transmitted to the king, nor confirmed by him. This is now the tenth day of your sessions, & all you bring me is a List of titles.

M^r Speaker. I doe conceive Some of our Laws wer enrolled & presented to the king, & the king and Queen doe allow that wee have reasonable Laws, in the Go^{rs} Comission.

His Excell. You have the Queen's Letter with you for a supply towards your defence, and I doe not see that you have done anie thing in Complyance therwith. I must begone and Leave you, Since I find you have no regard to their Maties' interest. I must give their Maties an accompt of the truth as I find it.

M^r Speaker. May it please the Go^r not to be offended with me. There might be a mistake of the Clarke in writting a word in the votes the night before Last, wher the house had under consideraon to give some Monie to the Late deputy Governo^r Lloyd & to Go^r Markham, and the remainder to the Governo^r. It was no disrespect to the Gor. that the Governo^r was Last named.

His Excell. M^r Speaker, I never took notice of anie personall abuse of that nature; you mistake me if you think me of the opinion and humor of some that have been Latelie in authoritie here, to use the power and dignitie their Maties have conferred upon me, above other men, in a personall abuse. I did not take anie notice of it, some others that see them were pleased to doe. I come here to serve their Maties by their Command; am Concerned to see the time goe away and nothing done.

M^r Speaker. May it please the Governo^r, John the Baptist came befor Jesus Christ, and yet hee said hee was not worthie to Untye the shoes of him that cometh after; wee doe not think that either the Late deputy Go^r or Livet. Go^r Markham is neer so great as the Governo^r. Thou must not therfore take it amiss of us, for wee truelie honor thee, & will take care to ans^r the king & Queen's demands. Governo^r, ther was a Remonstrance which wee did offer formerlie to the Governo^r, and the Governor did reject the same; wee have made some alteraon & doe now offerr it.

His Excell. You are mistaken that I did reject it. I did onlie advise you as yo^r friend, to withdraw it, having used some scurrilous terms, as false suggestions, &c., which might no wayes tend to yo^r interest, but hurt when seen att Whitehall; you may read that.

To Benj^n Fletcher, Esq^r., Captain Generall & Governor in Cheif in and over the province of pennsilvania and Countrie of New-castle, &c.

The Remonstrance of the freemen of the said province and Countrey, in Assembly mett, Humbly Sheweth:

That having with all dutiefull respect read and Considered the Governor's answer to our address this morning, Wee in ansr. therunto, with submission say: Wee conceive that our desires wer not grounded on mistakes in relation to the proprietor's absence; But as to the other clause mentioned by the Governo^r of their maties asserting their Undoubted right of Governing their subjects in this province, &c., Wee with all readines and Cheerfullnes own accordinglie to be the right of the king & Queen, whois prosperitie and happie reign wee heartilie desire.

And as to other reasons rendred for the superseding our proprietor's governancie; Wee apprehend they are founded upon Misinformations; for the Courts of Justice wer open in all the Counties of this governmt and Justice duely executed, from the highest crimes of Treason & murder to the determining the Lowest difference about propertie, befor the date or arrivall of the Go^{rs} Comission. Neither doe wee apprehend that the province was in danger of being Lost from the crown, although the government was in the hands of some whois principles are not for warrs. And wee Conceive that the present governancie hath no opposition, (with respect to the king's government here in generall,) to our proprietarie, Wm. penn's, tho' the exercise of thy authoritie att present supersedes that of our said proprietaries. Nevertheles, wee readily own thee for our Lawfull Governo^{r}, saving to our selves and those whom wee represent, our and their just rights & priviledges. Signed on behalf of the house.

JOS. GROWDON, Speaker.

17th of 3^{d} Mo., 1693.

His Excell. Gentl., The word (misinformation) is verie Unmannerly: their Maties are not misinformed. I could now wish you had offered no such thing: notwithstanding your positive assertion of misinformation in relaon to the goverm^{t} of this place, I doe affirm that manie and most of yo^{r} Laws are not Consonant to the Laws of England, nor have they been dulie executed: some Criminalls have Lain years in prison for want of execution, & manie Instances can be given. I find the province in no Securitie. It is obvious to anie discerning man, that Less than 500 Souldiers may reduoe it in as Little time as they can march through it. If it should please God that their Maties' forces (as I hope) have taken Martinicoe, Wee must expect that such a great prince as the king of France will endeavour a Reprisall, unles wee can beat him outt of paris. It will goe hard with him before he putt up such an affront, and he will allwayes make his first impression where there is Least defence. Nevertheless, I will doe anie thing in my power for the renovation or Confirmaon of anie Laws that are consonant to the Laws of England. I will Consider and advise with the Councill concerning this paper of titles. In the meantime, I will desire you to goe on with the other affairs: I would have you to dispatch the setling the post office; It is a Comon good to everie one, and will save us the charges of sending expresses to our nighbouring provinces: also, the act ag^{t} privateers, which none can object against.

M^{r} Speaker and the Representatives did withdraw.

His Excell. with advice and consent of the Councill, ordered M^{r} Jamison to tell the Speaker in the House of representatives, that they have considred what they did offerr this day in Councill Concerning Laws. That his Excell. was readie to pass anie Laws not repugnant to the Laws of England; That this is the tenth day of their sessions, and what is offered is onlie a List of titles. It cannot be expected that his Excell. can goe blindfold to order the exucuon of Laws that doe not appear to him; Therfore, desires they will send him the rolls of these Laws they have mentioned, and whether they doe proceed upon the post-office and bill ag^{t} privateers, or when they doe intend to proceed.

M^{r} Jamison returned in ans^{r},: That the house was adjourned for an houre, and were gone to inquire of the M^{r} of the rolls for the Laws.

Adjourned till 3 a Clock afternoon.

POST MERID.

3 a Clock afternoon, the 24th of May, 1693.

PRESENT:

His Excellency **BENJAMIN FLETCHER.**

Wm. Markham, Esqr., Leivt. Governor.

Andrew Robeson, Robt Turner, Pat. Robinson, Esqrs.
Wm. Salway, Wm. Clarke, Geo. forman. Esqrs.

Ordered, that Mr Jamison doe deliver his former Last message, and doe ask Mr Speaker to return his Excell. Copie of his Comission and bring it with him.

Mr Speaker made ansr, That they have examined and find but some rolls, That Livet. Governor Markham was Secretarie, and he hath a book of Laws which they have much regard to, and also, that they did believe they might find with him the original bills; they have now sent some of their House to Inquire for ym, whom they expect. It were hard to suppose that these Laws they have acted by should be void, for the officers neglect in not enrolling them.

Mr. Jamison replied: That his Excell. did not blame this House for the want of them rolls, nor mean to charge any person with the neglect att present; but that his Excell. conceives that these Laws might have by this time been got readie in new bills, to be offered for his sanction, that they may be enrolled for their use.

Mr Speaker said: He believed their Laws wer good, notwithstanding the officers neglect.

Mr Jamison said: His Excell. did order him to enquire if they did proceed upon the post office and Bill agt privateers, or when they intended to proceed.

Mr Speaker ansred: That the Bill for the post office was once read in their house, and hee found no objection agt it amongst the members.

Mr Jamison said: His Excell. does expect that Mr Speaker will send back the Copie of his Commission.

Mr Speaker answered, that the Gor had asked one of the members of the house for it formerlie, but that att the time hee had forgot to mention it in the house: it should be returned.

Mr Jamison said: His Excell. doth expect that I bring it along with mee.

Mr Speaker: it shall be returned by those who shall bring up the Laws.

Edward Bleake, Samll. Carpenter, david LLoyd and John White, from the house of Representatives, came with a book of Laws to his Excell. and Councill, and did offer it as a true Copie; That they did beleive Livet. Governor Markham and some others of the Councill could inform the Governor that of their certain knowledge these wer the Laws they had proceeded by in the governmt, and desired that a

Comittee may be appointed to Conferr with a Comittee of the representatives concerning those Laws that wer returned in the List of titles given in this day.

His Excell. told them, Hee could take no notice of that book unless it wer attested for a true Copie by the Go^r, secretarie, or M^r of the Rolls: these scripts of paper are handed about from one to another, and everie one may alter them att pleasure.

M^r Lloyd. May it please the Go^r, I did see some of those Laws, & doe know that they wer delivered in to the privie Councill by M^r penn; & being no wayes disallowed, they must needs be of force.

His Excell. This is the first time I have heard of that, nor doe I conceive it to be true. By the king's Lres pattents, yo^r Laws are to be made, ordained & published under M^r penn's seal, & these condions are not performed: you cannot produce me one Law soe enacted.

John White. May it please the Governo^r, wee are but poor men & of inferiour degree, and represent the people, and wee cannot have the boldness to say to the Go^r freelie, becaus thou art soe farr above us, & putts an awe upon us. Wee wold willinglie be resolved of this point, that wee may be readie to doe the other part which perhapps may be ended in hours & not take up dayes; But it's hard that all our proceedings in Courts of Judicature, &c. are grounded upon no foundation, having no Law, then consequentlie void, & all for want of forme.

His Excell. That may be easilie Salved with two lines of an act, which I will readily pass.

M^r White. May it please the Governo^r to heare me speak the truth of the matter. This is our difficultie: Wee durst not begin to pass one bill to be enacted of our former Laws, Least by soe doeing wee declare the rest void, & of no force nor validitie, which will be of dangerous consequence; and therfore, wee desire to be at some Certaintie in this matter: If wee can get over it, I hope wee shall quicklie come to a period, and therfore desire a Committee may be appointed to Conferr with us upon our doubts and objections.

Ordered, Wm. Markham, Esq^r., Livet. Governo^r, Andrew Robeson, patrick Robinson, Wm. Salway and Wm. Clark, Esq^{rs}., be, and they are hereby appointed a committee of this board, to join a Comittee of the house of representatives, to Concerte of the paper containing the List of titles of Laws delivered his Excell. by the Speaker this day, and to advise what may be proper to remedie the former neglects & remove the doubts that have arisen amongst the representatives upon his Excell. ans^r to the sd paper.

Ordered, that George Forman, esq^r. doe carrie a Copie of this order to the house of Representatives, and desire that the Speaker will appoint a Comittee of that house to join the Comittee of the Councill att the house of Coll. Markham, at 8 a Clock morrow morning accordinglie.

[25th May, 1693.

Att a Meeting of the Comittee of both houses att the hous of Livet. Governo^r Markham, on Thursday the 25th of May, 1693.

PRESENT:

WM. MARKHAM, Esq^r., Livet. Go^r.

OF THE COUNCILL.

Andrew Robeson, Patrick Robinson,	Esq^rs.	William Salway, William Clarke.	Esq^rs.

REPRESENTATIVES.

Joseph Growdon,	David Lloyd,	James Fox,
John White,	Sam^ll Carpenter,	John Brinkloe,
Edward Blake,	Cornelius Empson,	John Swift.

Livet. Governo^r Markham. Gentl., You have desired a Comittee should be appointed to concerte with you upon some objections and doubts arisen upon the paper Containing the List of titles of Laws, & his Excell. answer therunto, for which reason wee are now mett.

M^r Speaker. Wee have manie reasons to believe that our Laws are of force, but shall only mention this; That these manie years wee have exercised the government by these Laws, & are in the enjoyment of them; Wee know them to be our Laws, and wee know & can prove that Wm. penn caried the greatest bodie of them to England, & conceive they wer delivered to the king, and never declared void: and as to the rest of our Laws, the time Limited in the Letters patents for transmitting of them is five years, which is not yet expired; and as to yo^r objection that they are not enrolled and und^r the Seal of the proprietarie or his deputie, wee say that is not necessarie to the making of Laws, but they are onlie Ceremonies, and you have been active as well as wee in executing these Laws, tho without the Seal, and therfore, wee pray they may be allowed to be of force as our right.

M^r White: all the Laws that wee pretend to are 203, wherof 174 wer made while the proprietarie, Wm. penn, was here in person. Wm. penn had sufficient power to make these Laws, and Livet. Governo^r, You wer present att the making of ym, and if any thing wer amiss you are concerned.

Livet. Governor. I was present att the making of them all.

M^r White. All except about twelve or thirteen.

Livet. Governor. I was not secretarie all that time when the Laws wer made, but att the making of a few of them.

M^r White. Those Laws were caried home to England by Wm. penn, and by him presented to the king, or his privie Councill, which wee are readie to prove, and the king did not within six months declare them to be void; Therfore, they are our Laws, and wee have had the peaceable exercise and enjoyment of them; and some of you that are of the Comittee of the Councill have sitt upon the Bench, and given Judgment of death by these Laws; wee are in the posession of ym & say they are good and of force. Wee desire you to prove that they are not good.

Livet. Governor. Wee are not to prove the negative, you are to prove the affirmative, becaus you produce none.

Mr White. Wee have our Laws here; And wee now put it to the Livet. Governor to say whether hee hath not the originall bills of these Laws in keeping, as formerlie secretarie of this province. Wee are willing to have them compared with these bills; wee know ym to be true Copies; wee are readie to prove that they wer passed into acts.

Livet. Governor. I owne that I have the Bills by me, and doe believe that book may be a true Copie, and all which you have alledged may be answered in one word, but goe on and say what you have to say.

Mr Loyd. That is all wee desire, if these be the Laws that wer enacted; Wee came not here to dispute the forme and validitie of the Laws by the want of a seal, or their not being Legallie published; But whether these be the Laws or not that wer made and published, which you confess; Soe the matter is att an end.

Livet. Governor. Have you anie more to offerr.

Mr Speaker. Doe you call us in question by what authoritie wee doe use these Laws, when you have jointlie along with us executed them?

Mr Lloyd. Who can be Judge whether these Laws be in force or not. None can be Judges but those that made them, since ther is no order from the king and Councill declarring them void; wee desire that they may be putt in execuon. It wer hard that the want of the affixing a Seal, or some such other Ceremonie, should destroy our Laws; And if wee allow this att present wee must expect it for the future, That everie new Governor, finding fault with some omission or another in the making or publishing of our Laws, will declare them void, which is of evill Consequence, and wee doe not know that ever wee shall have more Laws.

Livet. Governor. Have you anie more to offerr.

Mr Speaker. Wee have, But this may suffice att present; Saving to our Selves the making farther ansr and defence when wee shall hear what is offered agt our Laws being in force, Which wee desire to hear.

Patrick Robinson, Esqr. Gentl., You have desired his Excell. to Cause the officers to putt in execuon the Laws contained in this List, and have made a Large preamble or Introduction to this desire, wherin you have been Unfair in repeating the words of the Charter. In your paper you say: ["also granting unto the said Wm. penn, his deputie or Livets, by virtue of the said royall charter, full, free & absolute power, by and with the assent of the freemen of the said province, to make, enact and publish any Laws whatsoever, for anie, and appertaining either to the publick state, peace, or saftie of the said Countrie, or unto the private utilitie of particular persons, according to their best discretion."] Whereas, the 4th paragraph of the Letters patents is in these words: ["And for as much as wee have hereby made and ordained the aforesd Wm. penn, his

" Heirs and Assigns, the true and absolute proprietors of all the " Lands & dominions aforesaid; know yee therfore, that wee, reposing " speciall trust & confidence in the fidelitie, wisdom, justice and pro- " vident circumspection of the said Wm. penn, for us, our heirs and " Successors, doe grant free, full and absolute power, by virtue of these " presents, to him & his heirs, to his and their deputies and Livets, " for the good & happie government of the said Countrie, to ordain, " make & enact, & under his and their Sealls to publish anie Laws " whatsoever for the raising of Monie for the publick uses of the said " province, or for anie other ends appertaining either unto the publick " state or safety."] Where it is plain that your Laws ought to be published under some seal, either of Wm. penn, or of his deputie or Livet., which is the defect you now lye under, and wold Conceale. None of those Laws (you desire may be putt in execuon) wer ever SOE published, nor are to be anie where seen or found, nor is there anie standard of such Laws to be produced to his Excell. for his approbation. You have books of Laws, & so have I, but they are not attested by any officer for true Copies, and there are not any originall rolls under seal to compare them with, Which is manifest to you all. You doe Likewise alledge that the greatest bodie of Laws wer transmitted & presented to the Councill by Mr penn, which is a doubt. But if they wer, it will signifie nothing; for as they are to be published under seal, so also wer they to be transmitted under seal: paragraph 7th: [" Our further will and pleasure is, that a transcript or duplicate of all " Laws which shall be Soe as aforesaid made and published within " this province, shall, within five years after the making therof, be " transmitted & delivered to the privie Councill for the time being, of " us, our heirs and Successors; and if anie of the sd Laws within " the space of six mo's after that they shall be soe transmitted & de- " livered, &c."] (Soe transmitted) is under seal Soe as published, and if never published under seal, consequentlie never soe transmitted. You must not think to claim that of right wch is meer grace.

Their Maties are tender of their Honour and interest in forreign plantaons, and take care to prevent their alienaon from the Crown, by appointing such methods of governmt in their Letters pattents as may be most for their preservation, which they expect shall be punctuallie observed. The Seal is the soule and Life of the Laws, as you find by the charter, and was never affixed to them, or anie of them. Wee are readie to hear you offerr anie thing to the contrarie. Also, by your own confession, manie of your Laws are not transmitted, and manie or most of them dissonant to the Laws of England; wheras, his Excell. is commanded to pass such Laws as are as neer as can be, agreeable to the Laws of England.

Mr Speaker. It is not an injunction to affix the seal, but a Leave of a thing given to Gor penn, as a mark of favour, which hee may use if he please, but there is no obligaon to use the seal. It is onlie a Ceremonie; and so sayes over again what hee said before.

Leivt. Governor. Mr Speaker, neither does the king enjoin the making of Laws when hee gives the power of making them, But when this power is exerted by you, It ought to be done in the manner the king directs, becaus you have not power to make ym otherwise.

Mr Lloyd and Mr White repeat their former arguments, and alledge that the sealing is not materiall to the making of a Law, but the consent of the Governor, Councill & assembly.

Mr Andrew Robinson. The agreement of the Governor, Councill, and people, to the passing of a Law, is but like a deed drawn by articles of agreemt, which is no deed untill it be sealed and delivered, tho attested by the parties' hand.

Mr White acknowledged there may be defect in the officers, one or other, but we cannot tell but they may be enrolled and sealed somewhere or other; perhapps they may. Wee know these are our Laws, and wee have executed them, and it will runn us all into confusion, & all our acts of govermt and proceedings in Courts of Judicature must be condemned, if wee allow the Laws are not of force and in being.

Mr pat. Robinson. de non apparentibus et non existentibus eadem est ratu.

Samll Carpenter. If now they are our Laws I will stand by them. I had rather Loose all I have in the world than part with our Laws.

Mr White. It does not appear that the Laws were to be made under the seal, onlie to be published under the seal; therfore, they were made by a good authoritie, and if any thing be wanting it is not our fault who made them, & we ought not to sufferr by the neglect. The fault may be remedied.

Mr Loyd. I am surprized the members of Councill, who have a joint interest with us in the province, and have acted by these Laws and satt in Courts of Judicature, should speak agt their validitie. Our priviledges are yours.

Andrew Robeson, Esqr., Chiefe Justice. Gentl., wee are well satisfied it is so, & heartilie wish the prosperitie of the province in everie respect; But it is all our duties to know the strength and Validitie of our Laws, that the ministers of Justice may be satisfied of the validitie of their Laws, and that they proceed upon good grounds; and also, that the people may be satisfied of the Justice executed, and what they must expect if they transgress.

Mr pat. Robinson. Gentl., His Excell the Governor has a tender regard to this province & the peace of the people therin; But you must Likewise consider that hee must be tender of the prerogative of the Crown. Hee hath come hither by their maties' comands, not of his owne seeking. I am verie well assured that notwithstanding all this wee have heard in this meeting, His Excell. will goe as farr as may be to serve the province in bringing all to rights. His Excell. cannot agree to the execuon of any Law that is repugnant to the Law of England, therfore I wold advise you to Looke over again that List of Laws, and consider with yourselves what may be for your owne peace and benefit: I am pretty well satisfied you may order the List so as that his Excell. will agree that the Laws therin contained shall be executed by the officers in the government, untill his excell. shall receive orders from their maties concerning the same. But this I must tell you, that you must not think to offerr that Law concerning wrecks, for his excell. has a particular Comission for Vice admirall, which reaches this province and the three Lower Counties.

Mr Speaker. We are well satisfied to doe this; wee matter not the Law of wrecks; Believe that will make no rubb. Wee desire you will be pleased to request this of the Governor.

[25° May, 1693.

Att a Councill Held att philadelphia on a Thursday the 25th of May 1693, Afternoon.

PRESENT:

His. Excell. BENJAMIN FLETCHER, &c.

WM MARKHAM, Esqr., Livet. Governor.

Andrew Robeson, Robert Turner, Patrick Robinson.	Esqrs.	William Sallaway, William Clarke, George Forman.	Esqr.

The Comittee of the Councill doe return, That the representatives appointed a Comittee to join them this day to read over the List of Laws, and to offerr such of them as they think convenient to his Excell. to order ym to be executed by the officers of the government untill their Maties pleasure should be further known; which, if his Excell. will promise to grant, they will then proceed with all expedion to the other bussines.

The Councill are of opinion and doe advise his Excell. to grant their desire.

His Excell. did send to the house of representatives to acquaint them that he was readie to grant that some Laws should be executed, Untill their Maties pleasure should be known, and to desire them to proceed upon the other affairs befor them wtout loss of time.

[26th May, 1693.

Att a Councill Held att philadelphia on Friday the 26th of May, 1693.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

Andrew Robeson, Robert Turner, Pat. Robinson,	Esqrs.	Lawrence Cock, Geo. forman.	Esqr.

His Excell. did send for Livet. Gor Markham, and understanding him to be indisposed to come abroad by the gout, & desirous to have a full board, did adjourne to his house.

Att the House of the Livet. Governo^{r}.

His Excell. did offerr that hee understood there was something in articles ag^{t} Thomas Loyd appearing in the Minute book of assembly, 1689, wherin he is charged with defaults in the administration of Justice, Which may serve if there be occasion, to defeat their allegation that Justice was dulie executed, and ordered the perusall of the book.

Ordered also, the Councill doe resolve into a Comittee this afternoon, to Consider of an answer to the Remonstrance of the representatives, which they are desired to putt in writting & return to his excell. und^{r} their hands, for his better informaon, being a stranger in the Countrie.

POST MERID.

3 A Clock afternoon, the 26th of May, 1693.

Andrew Robeson, Robert Turner, Pat. Robinson, Lawrence Cocke, Esq^{rs}.

Wm. Salway, Wm. Clarke, Geo. forman. Esq^{rs}.

The Committe having drawen up their answer to the remonstrance, doe sign it, and afterwards present it to his Excell.

The Councill's answer to the representatives' remonstrance, philad. the 26th of May, 1693.

Wheras, the Governor hath been pleased to appoint us a Comittee of the Councill to give our opinion of the remonstrance delivered to him by the assemblie, Wee having mett & considred the same, doe with submission deliver our sense, That wheras the assemblie doe say: That they "conceive that their desires wer not grounded on mis-"takes in relation to the proprietor's absence. Wee conceive it was Be-"caus they doe earnestlie beseech that their proceedings in Legislation "may be according to the usuall methods and Laws of this governm^{t}, "founded upon the Late king's Lres patents, desiring the same may "be confirmed unto them as their rights and Liberties;" The which themselves have overthrown & declined, by their choosing representatives to serve in assemblie according to the Governor's writts, founded on their Maties' Letters patents, befor they did ever assert or insist on their former methods or frame of government. And wheras, they say that they "doe w^{t} all readines and cheerfullnes "owne accordingly to be the right of the king and Queen." But they do not mention king Wm. & Queen Mary, which wee conceive to be a great Omission, if not a slight putt upon ym. And wheras, they say that they "apprehend the reasons for the Superseding the "proprietor's governancie are founded on misinformations, for that the 'Courts of Justice wer open in all the Counties of this goverm^{t}, &

"Justice dulie executed." Wee doe say that wee can instance in severall particulars where justice was delayed, if not denyed, & therfor not duly executed. And wheras, they say, that they "doe not apprehend that the province was in danger of being lost from the Crown." To which we ans^r, That wee doe not know of anie care that was taken for the defence therof.

Andrew Robeson, William Salway,
Rob^t Turner, George forman,
Wm. Clarke, pat. Robinson,
Lasse Cock.

[27th May, 1693.

Att a Councill Held att philadelphia on a Saturuday the 27th of May, 1693.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

Andrew Robeson, Rob^t Turner, Lawrence Cock,	Esq^{rs}.	Wm. Salway, Wm. Clarke, Geo. forman,	Esq^{rs}.

His Excell. sent M^r Jamison to know if the representatives have made anie thing readie for the perusall of the Councill, to save time.

M^r Jamison returned that the house were not mett; that some of the representatives there told him they wer copying out such Laws as they wer to offerr to his excell.; that they had imployed three Clarks, but that they beleived it Impossible they wold offerr any thing this day; & that they were also proceeding upon other matters.

Adjourned till Moonday morning, 8 a Clock.

[29th May, 1693.

Att a Councill Held att philadelphia on Moonday the 29th of May, 1693, Afternoone.

His Excell. gave the board to understand that in the forenoon hee had sent to the house of representatives about eleven a clock, and there was no assemblie mett; that the Speaker is now come to towne and the assembly sitting, desiring the advice of the board If it may be proper to send for the speaker & reprimand him for going out of towne w'tout leave, or to send to him and urge their dispatch. The Councill doe advise his Excell. to send to urge their dispatch.

Ordered, M^r Jamison doe wait upon the House of representatives, and tell the Speaker that his Excell. and Councill did attend on Saturuday Last, and sent a Message to them and they wer nott mett; In Like manner this forenoone, and they were not mett, The Speaker and Sundrie representatives being outt of town: That it is neither warrantable nor answerable for the members of assembly to goe outt of towne without the Leave of the House, nor for the speaker without his Excell's Leave, during their Sessions; That his Excell. must be gone to morrow: That if anie thing extraordinarie shall happen in the fronteers during his Excell's absence, they must think to answer for their delayes; and to desire to know if they will have anie thing to offerr this night.

The Speaker did return in answer, that the house was adjourned on Saturuday to ten a clock this day; That his house was not farr outt of towne; that against ten a clock hee did return & was in towne; That they wer putt upon new measures, the provinciall Councill having formerlie prepared bills; That they were unskilled in the methods: They were busie, and hoped they wold have something to offerr this evening, att Least they wold send word how farr they were proceeded.

Adjourned till 8 a clock morrow morning.

[30th May, 1693.

Att a Councill Held att philadelphia the 30th day of May, 1693.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

Andrew Robeson,
Robert Turner,
Pat. Robinson, Esqrs.

Wm. Salway,
Wm. Clarke, Esqrs.

Two of the Representatives did present 13 bills not signed by the Speaker, nor anie wayes relating to the Queen's demands and his Excell. desire, which wer read.

Adjourned till 3 a Clock afternoon.

[post merid.

POST MERIDIEM.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

Andrew Robeson,
Robert Turner,
Pat. Robinson,
Lawrence Cock, Esqrs.

William Salway,
William Clarke,
George Forman.

Ordered, that Pat. Robinson & George Forman, Esqr., doe signifie to the House of representatives that his Excell. is surprized to find 13 bills returned & none of them answering their Maties' demands, nor hath his Excell. seen one vote or minute of assembly concerning anie of them. None of them are signed nor passed the house in anie forme, Soe that nothing is done but an expence of time; That they desire them to dispatch their Maties' affairs, which sufferr much by his

Excell's absence, being severall times called back to the fronteers since his coming hither, and must be gone to morrow.

Pat. Robinson & George Forman, Esq^{rs}., did bring answer from the speaker, that they wer making haste; had not mispent time; wer putt upon new & unusuall methods, & desired the Governor's excuse: that the monie bill was almost readie.

Adjourned till morrow 8 a clock morning.

[31st May, 1693.

Att a Councill Held att philadelphia the 31st May, 1693.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

Andrew Robeson, Robert Turner, Lawrence Cock, Esq^{rs}. William Clarke, George Forman, Esq^{rs}.

John White and Edward Blake, from the representatives, brought up the former 13 bills, signed by the Speaker.

His Excell. told them that their house had not treated him well; That they had not sent the votes of their House these two nights by past; That he hath not found in anie of their votes the Least mention of these bills they have surprized him withall, and desired their dispatch of their Maties affairs.

John White repeated the former excuses for their delay, and told his Excell. that there were revolutions in government of Late, and tho' they were conscious of no guilt, yet it wold be Convenient to pass an act of oblivion.

His Excell. replyed, That he was sensible of a great manie neglects and abuses that wanted reformaon, particularlie their Laws not published under Seal nor enrolled: That hee had offered to sett them to rights, and to grant ym anie thing which might be consistent with the laws of England and their Maties Letters patents, but they have slighted his offerr, and had the boldnes to justifie ymselves in everie thing.

Ordered the reading of the thirteen bills. The 13 bills being three times read, Ordered that pat. Robinson, Esq^{r}. doe acquaint the House of representatives that these bills are read over, & his Excell. expects what they furder intend to offerr.

James Fox & Cornelius Empson, from the hous of representatives, brought up 18 bills Signed by the Speaker, amongst which a bill for erecting a post office and a bill against privateers.

Ordered the reading of the said Bills. The Governor and Councill doe assent to twentie bills without amendment; five with amendments, and Six wer Laid aside.

Adjourned till 3 a Clock afternoone.

POST MERID.

Att a Councill Held att philadelphia the 31st of May, 1693, post meridiem.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

Andrew Robeson,
Robert Turner,
Pat. Robinson,
Lawrence Cock, } Esqrs.

William Salway,
William Clarke,
George Forman. } Esqrs.

John White, david Loyd, Samll Carpenter and Edward Blake, from the house of representatives bring in and offerr the Bill of supplie for the government, which they say is read two times in their house, But not passed, and desires to know what is become of the other bills they have sent up; whether they are passed or not, or what amendments are made, &c.

His Excell. Gentl., This is no bill. I will not Look upon it untill it be passed ye house & signed by the Speaker. I have sent you word formerlie that the speaker was to cause be wrote under each bill: "This bill being three times read, is assented unto by the House of "representatives and ordered to be transmitted to the Governor and "Councill for their assent thereunto; and then signed by order of the "house: his name." But this you will not follow becaus bid to doe it.

Mr. White. May it please the Governor not to take it amiss that the representatives are desirous to know what is become of the other bills, ere they proceed to the passing of it; They Judge it the practice of the Comons of England and their right, therfore pray Gvernor excuse it and peruse the bill.

His Excell. Gentl., If you did design to Compliment me with the sight of this Bill before it was passed yor house, you might have followed other measures. I can take no notice of it here untill it come signed by the Speaker & past the house. I will not Looke upon it.

Mr LLoyd. To be plain with the Governor, here is the Monie bill, and the house will not pass it untill they know what is become of the other bills that are sent up.

Mr White. May it please the Governor, The house doe not know but those bills the Governor may see Cause to Lay aside may be the bills they putt the greatest value upon, therfore pray thee to excuse it, and Condescend to them in that thing.

His Excell. Gentl., You have not dealt fairlie by me; you have no Candor; you have sitt these fifteen dayes & nothing done: no vote mentioning those Laws ever came to my hand untill you surprize me with 13 bills; & again more, some of which are directlie oppositt to their Maties Lres patents. I came not here to make bargains nor expose the king's honour. I will never grant anie such for all the monie in your Countrie. You have had her Maties Letter before you, and Let the house Consider what they are doing: I must be accomptable att whitehall for everie thing that is transacted here in this assembly.

I shall be sorrie if I can be able to give you no better character; and in short, you must expect to be annexed to New yorke or Maryland. I will not Look upon the Bill untill it will be three times read & signed by the Speaker.

The Representatives did throw down another bill upon the table and withdrew.

The Bill Last delivred is Concerning the estate of persons deceased, and not signed by the Speaker.

His Excell. Ordered M^r Robinson to Carie the same back to the house, and tell them that his excell. hath passed a bill ag^t abusing Magistrats this day in Councill; that they sufficientlie abuse his Excell. in sending up such scripts of paper without being signed, & that they must not expect that hee will take anie notice of such.

His Excell. sent M^r Robinson and M^r forman to inquire if the house of representatives had anie more bills to offerr; Who in ans^r said, the house wer in debate whether they should send anie more bills for assent Untill they heard that the other former bills were passed.

His Excell. after Long expectation, did desire the advice of the board whether hee should not dissolve the assemblie, having had no regard to their Majesties demands for assisting New yorke.

His Excell. ordered pat. Robinson & Geo. Forman, Esq^rs. to wait upon the house of Representatives and demand of them whether they have complied with their Maties demands for assisting New york; whether they had considred of a Quota of men or monie, or both, and that they return an ans^r in writting, Signed by the speaker.

His Excell. gave them the Queen's Letter, of which the Representatives had formerlie a copie, that they might see it.

They brought in ans^r that shortlie they wold bring an ans^r in writting.

His Excell. did demand of the Councill If they have observed him to take wrong measures to disoblige the representatives and make the inhabitants uneasie since hee came amongst them, and prayed them to use their freedom of speech.

The Members of Councill did Return, That they wer admirers of his Excell. patience, and wer wittnesses that hee hath taken all the stepps of Condescention Imaginable to gain them, and that they wer afraid the Countrie will be att Last Sufferers through their means.

His Excell. gave the board to understand that hee hath sent severall messages to the Representatives they have done nothing to answer the Queen's Lett^r. They have adjourned ymselves twice this day, and it is now three Hours since the Last message was sent to them; Therfore, asks the advice of the board to send for them and dissolve them.

Andrew Robeson Esq^r. made answer, That hee was ashamed of their behaveour to his Excell. after all that Condescention and patience his Excell. hath showen to them: being putt to the vote, It is the opinion of the Councill (onlie M^r Salway excepted) that His Excell. have patience till morrow morning, and that if they give not satisfactorie ansʳ to the Queen's Letter by 8 a Clock to-morrow morning, then to dissolve the present assembly.

Adjourned till 5 a Clock morrow morning.

[1ˢᵗ June, 1693.

Att an Assembly Held att philadelphia the first day of June, 1693, 5 a clock Morning.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

Andrew Robeson,
Robert Turner,
Pat. Robinson,
Lawrence Cock, } Esqʳˢ.

Wm. Salway,
Wm. Clarke,
Geo. Forman,

The Councill Having sitt two hours, Ordered that Pat. Robinson, Esqʳ. doe wait upon the House of Representatives, and demand of them an ansʳ to that message concerning the Queen's Lettʳ, according to promise Last night, in writting, & whether they have anie further Bills to offerr.

John White and Edward Blake from the Representatives brought a Roll of Laws, annexed to a petition of right, which Laws the assemblie doe petition may be ordered to be putt in execuon by the officers in the government, & a bill giving one pennie in the pound to yʳ Maties.

His Excell. did say: Gentl., you have not dealt kindlie by mee. I suppose becaus you doe not know mee. However, I shall cause this Bill to be read, & then send to the speaker and the whole house. I suppose I shall give them satisfaction. This might have been done five dayes agoe.

Mʳ White. May it please the Governoʳ not to take it amiss from anie particular member of the house, for as wee differ in face, so also in mind; It was not delayed through anie disrespect to the Governoʳ but that it doth take up some time to bring men's thoughts and tempers to agree. I hope the Governoʳ will part with us in Love.

His Excell. You may tell the house that I shall send for them so soon as have perused the bill.

The Bill of the pennie in the pound read three times. Ordered pat. Robinson, Esqʳ. doe call the speaker and Assembly.

The Speaker and assembly present.

His Excell. said: Mʳ Speaker and you gentl., The representatives of yᵉ province, There is one bill that you have passed giving the pennie in the pound to their Maties, for which I am obliged to thank you. It wold require severall amendments, but I am in haist. I could wish you had given that monie, as you call it, for support of the government of the province, by another name; It would a been more suteable & pleasing if you had taken some notice in the bill of the Queen's Letter; But I shall not insist, and as for that part yrof which you design for mee, I shall putt it to that use which their Maties shall require mee.

Gentl., There are Bills which are passed in Councill without amendment and approved: there are some five or six more that will want amendments, as that of marriages. The Councill are of opinion, with some of yo^{r} house, that it is hard to oblige persons of religious societies different from the Quakers, should be tyed up to their measures.

Bridges. There is a word Left outt, perhapps by the Clark's mistake, which is the penaltie for not working. The Councill have putt in twentie Shillings for a dayes neglect: I believe you will agree to it. I believe it wer not amiss it wer 40 shillings.

Criminall offences. There is wanting in this Bill the Crime of Burglarie, which you may have easilie added.

Cask. In the assize of Cask, It wer proper to take Notice of the oil Cask; fishing with the people of New york is much improved & oil makes a good return. I hope you will consider the improvement of it amongst you; also, I understand there is something done towards that trade of oil; therfore, it cannot hurt to regulate the oil Cask.

Recording of deeds. I wold have the preamble Left outt; It's no part of the Law nor adds nothing to it.

There are severall other Laws which I could wish there wer time to consider of ym, but I doubt they will occasion so much debate as will make expence of time. There is that ag^{t} debacherie in officers; I am willing to pass anie Law ag^{t} bebauchrie you can propose; but there are Laws alreadie ag^{t} those Crimes, and if they be putt in execution will not serve.

M^{r} Speaker. May it please the Governo^{r}, Wee know there are penalties upon such offences; But wee wold willinglie see that the highest places in governm^{t} should be supplied with officers of most virtuous & exemplarie Life.

His Excell. And I also; But it is hard for a false step, in drinking a cup perhapps too much, a man should be deprived of his birthright, which is that hee be uncapable to elect or be elected; this is too severe. It is the free Holders birthright as much as his name. I will give you Leave to banish mee outt of the governm^{t} when you shall find me drunk. But M^{r} Speaker, there are manie other crimes, as fornication, which a man may happen to be guiltie of as well as drunkennes; why is not that in amongst the rest. I cannot take away the Subjects birthright. But if you will pass a Law for either Mulct or Corporall punishment upon such offences in Officers, I shall be readie to pass it. I believe if this bill You have proposed wer applied to this present assemblie in the strictnes of it, Wee should have but a thin House. There are but few men in the world but one time or other may be convicted of Some of these Crimes.

Yearlie delegates. This is directlie opposit to their Maties Lres patents. I will engage that while I am in the goverm^{t} I will call an assemblie together once a year; But the king's affairs will not Suffer me to be allwayes here att a certain time. Besids, It is their Maties prerogative to call assemblies as often as they see meet, and this they have given unto me; I cannot part with it; besids, where is the hurt, if a good assemblie should be continoued by adjournment from one year to another. I Love to have Honest men upon my side, and for the rest I doe not care where they be.

SALLARIES TO THE ASSEMBLIE. Gentl., It is well, but you must also have under consideraon the Livet. Governor and the Councill. If it wer once come so farr as to have a Revenue established within this province upon their Maties to defray the necessarie charge of the goverm^t, I wold show you which way it should be made use of for Support of the officers.

Therfore, att present I wold have you take the Livet. Governor and Councill und^r your Consideraon, as well as the representatives.

FERRYS, If I am well informed, are a Royaltie, and are granted to the proprieto^r. It seems strange to me that you should incline to take away anie thing from the proprietor, who is yo^r friend. It is but his right, and I cannot take it from him. I cannot pass this bill.

PIRATES AND PRIVATEERS. The Bill which I sent you was originally drawen up att Whitehall. I cannot pass it as you have altered it. There is other Laws to punish privateers, & I am Vice admirall as well as Governo^r here. Since you did not pass it in form I shall not insist. I remember some of you said it was too Sanguinarie; It can doe you but Little good or harme.

And for Choosing of officers, It is a thing the king hath Lodged in me to appoint officers; therfore, you must not expect it. To this and the other concerning delegates, I must give you a positive answer. I cannot pass them.

M^r Speaker desired the amendments, and was told they wer endorsed on the bills, then w^tdrew.

His Excell. did sign the other Bills that wer passed the Councill, and an ord^r und^r the List of Laws & petition that all Justices, Sheriffs, Constables & other officers in the province of pennsilvania and Countrie of New Castle, should execute, or cause the same to be executed, untill their Maties pleasure should be further known.

Ordered, Pat. Robinson, Esq^r. doe carie down the signed roll, and show his Excell. Signature therunto, and desire them to return the Monie bill; which was done accordinglie.

His Excell. ordered Wm. Salway, Esq^r. to enquire of the representatives if they were desirous to be adjourned, prorogued or dissolved.

Who returned that they wold consider of answer.

Adjourned till 2 a clock afternoone.

POST MERID.

Post Meridiam, præsentibus ysdem qui ante.

Edward Blake brought up Nine bills amended as the Governo^{r} and Councill did propose, which his Excell. did pass; and that the assemblie could not consent to the amendment of the Bills for allowance to representatives, nor that of appealls, since they cannot allow Burglarie to be a capitall crime.

Edward Blake brought the bill of appealls, with the crime of Burglarie, allowed by the representatives, Which being three times read was assented unto by the Governo^{r} & Councill.

His Excell. bid him tell the representatives that hee was readie to pass the bill for allowance to the representatives, But the Councill declare their opinion ag^{t} it, unles provision be made for the members of Councill, which is best done by establishing a revenue for support of the government.

His Excell. desires that the speaker and representatives doe attend him forthwith, being readie to goe on board.

M^{r} Speaker and the assemble wer admitted. Then His Excell. said: M^{r} Speaker and you gentl., you may be perhapps mistaken or not well acquainted with the Nature of passing bills in generall assemblie; You have had the Copie of my Comission, & you will find it there, that they are to be enacted by mee, by & with the advice & consent of the Councill & assemblie, or representatives, Soe that it is not in my power to pass anie bills that come from your House, if I wer never so willing, w^{t}out the advice and consent of the Councill, tho' as they say in England, I have in myself the power to damn them, which is the Negative voice. I am verie willing to pass this bill for an allowance of Six shillings per diem to each representative, and Nine shillings to the Speaker; But I find a nemine Contradicente in the Councill for Laying it aside. They doe alledge that your preamble to that Bill is verie fair and plausible, (to witt, the support of the Governm^{t},) but then you must not seem therby to take the government whollie into yo^{r} owne hands, as if the Livet. Governo^{r} and the members of Councill had no share yrin. They are Satisfied that ther is some thing due to you for yo^{r} service, but it is also true that the members of Councill have a share in the government, and are in the Nature of the upper house, and there is no provision for them; you must not then take it ill att my hand, for I doe declare to you, Gentl., that if the members of Councill will Consent to it now, I will this moment pass it as it is.

M^{r} Speaker. May it please the Governo^{r}, I knew not what thou woldst say to mee, therfore am not prepared to ans^{r}. But this I will venture to say of my self, and beleive it is the opinion of the house, That wee may give the Councill the Character of great injustice to us. I doe not blame thee.

His Excell. It is not my fault; I am readie to signe it, and think it a verie reasonable allowance.

M^{r} Speaker. Governor, wee have just now paid twelve pounds odd monie outt of our owne pocketts for house rent, Clark's fees, and doore keeper, & for my owne part, I have served the Countrie these severall years, and never had one farthing; But since it is soe, wee will not insist upon it. I wish that upon the Like occasion for the future, the Governo^r may be assisted with Councillors of more justice, and an assemblie of more witt.

His Excell. I am a stranger; I have put no stranger over you. I have had those gentl. recommended to me, and have found ym all wise, Carefull, & diligent to forward their Maties' Service during my abode. It is my rule to beleive well of everie man Untill I find the Contrary; your jealousies have been a great hinderance to their Maties' affairs in this assemblie. This bussines might have been done 8 dayes agone: But I attribute it to this, That you doe not know me. I could wish you had made provision for all the officers of the governm^t; If you had, I was allwayes readie to pass it. I see one vote of the house to that purpose, but heard no more of it.

M^r Speaker. Governo^r, True wee did in the beginning. Wee had severall debates upon it, but it could not pass the house; It was ever much opposed.

His Excell. What harme wer it, or who could sufferr by it, if something wer laid upon wine, brandie, beer and Syder. No person is obliged to drink, & they y^t will dipp a Little more than ordinarie, will never feell the paym^t of it, nor drink the Less. It wer a better way than to Levie monie by distres, which takes a sum out of poor sober people's hands att once. I doubt not but an excise upon strong Liquors, with the addition of some things els, wold raise a Considerable sum of monie yearlie for the support of the Livet. Governor and Councill, & other officers.

Gentl., These Councillors will not allwayes be in place. It may be probablie yo^r owne turns to Serve verie shortlie. If once you wold establish a revenue upon their Maties for the support of the governm^t as it is in all places, I should quicklie give you an accompt how it should be distributed. It hath cost mee neer 200lb. the time I have been amongst you; there is my servants, horses & my table, which I have keept for these gentl. y^t came along w^t me: and for you M^r Speaker, & the gentl. of the assembly, if att all times three or foure of you could have come, my door was never shutt, and I told you allwayes soe; but there was such jealousies and fears amongst some of you in this place, that it was avoided as if it wer treason for the speaker or anie other representative to be seen in my Companie during yo^r Sessions. My temper has been allwayes otherwise. I ever Loved freedome, and it is no argument of Love and affection where jealousie doth so predominate; It is not my fault; I hope wee shall be better acquainted in time. Gentl., I did desire to know of you whether you desire to be adjourned, prorogued or dissolved.

M^r Speaker. Governor, wee desire to be dissolved; wee doe thank thee for thy care and kindnes to us.

His Excell. Gentl., I will order the secrie to enroll those Laws that I have passed upon parchment, and affix a Seal to ym, and they shall remain in his office, to be a standard of yo^r Laws, to which you may recurr upon all occasions. I have Likewise ordered that the monie bill shall be first enrolled, Which I doe for yor sakes; And trulie, I could wish you had taken notice of the Queen's Lettr yrin; It wold have been better received by their Maties. And since you desire to be dissolved, I Have dissolved you, And you are hereby dissolved from the assembly, Soe gentl., I wish you all well to yor homes. Wee thank thee Governo and departed.

The end the first Sessions of Councill and Assembly.

[2d Janry, 1693-4.

Att a Councill held att philad. 2d Janry, 1693-4.

PRESENT:

WM. MARKHAM, Esqr Leivt. Governor.

Robt Turner, } Esqrs.
Wm. Salway, }
Pat. Robinson, Secrie.

No business offering, the Councill was dismist.

[9th Janry, 1693-4.

Att a Councill Held att philadelphia the 9th of January, 1693-4.

PRESENT:

WM. MARKHAM, Esqr. Leivt. Governor.

Wm Salway, } Esqrs.
Robert Turner, }
Pat. Robinson, Secry.

The Leivt. Governor being Informed that some persons had been brought before some of the Justices of the peace for Robbing & stealing, which Crimes, by the 104th & 105th Laws of this province, wer formerlie punisht with restituon & 21 strypes, And which two Laws wer designed by the Last assemblie to have been Continoued in force in their pction of right to his excellie, and tho', these two Laws be in the minuts of the Councill, & also in the assemblie book, amongst the List of those Laws presented to his Excellie & Councill to be Continoued, yet they wer through haste omitted to be putt by the assemblie in the roll of Laws by ym requested to be continoued, By reason qrof, the Justices are doubtfull how to proceed in the punishment of such Criminalls.

It was resolved, That his Excellie be Humblie requested to give his determinaon in this matter.

[16th Janry, 1693–4.

Att a Councill Held att philadelphia the 16th of Janry, 1693–4.

PRESENT:

WM. MARKHAM, Esqr. Leivt. Governor.

Robert Turner, Esqr. Pat. Robinson, secry.

No bussines presenting, the Councill was dismist.

[23d Janry, 1693–4.

Att a Councill Held att philadelphia the 23d January, 1693–4.

PRESENT:

WM. MARKHAM, Esqr., Leivt. Governor.

Robert Turner, Esqr., pat. Robinson, Secry.

The Leivt. Governor signified to the Councill, That hee had a Lettr from his Excellie, Containing a matter of moment, which wold require a full Councill; did therfor acquaint the members present not to faill to be here the 30th instant, and ordered the Secrie to write to Jno Cann & George forman, Esqrs., to be then also present, which the secrie accordinglie did.

[30th Janry, 1693–4.

Att a Councill Held att philadelphia the 30th of January, 1693–4.

PRESENT:

WM. MARKHAM, Esqr., Leivt Governor.

Robt Turner, Wm. Salway, Lacey Cock, Esqrs. Geo. Forman, Esqr. pat. Robinson, Secry.

The Leivt Governor acquainted the Councill that hee had sent for Jno Cann, Esqr., the 22d instant; That the Secrie had writ to him from Geo. forman, Esqr. his house, to be present att a full Councill this day to advise about a matter of moment. Mr Cann not having come, The Livet. read a part of his Excellie's Lettr to himself of the yth instant, in these words, viz: "You doe not ansr mine relating to assem-"blie which I incline to hold att New-Castle, but will complie to the "Councill's opinion."

After some debate about this matter, The further debate therof was deferred to the Sixt of Febrie next; and it was ordered that Mr Cann should have fresh notice to be then present.

Joseph pidgeon having exhibited to the Leivt Governor and Councill an accot of tenn pounds two Shills., for sundrie presents delivered the Indians by his Excellie's ordr, when here at a treatie wt ym, And desiring paymt.

Ordered that Robt Turner, Esqr, treasurer, pay the said sum outt of the pennie per pound tax raised for the support of the government.

Ordered that the Secrie issue outt a warrt directed to the Messinger of the Councill, To Sumons Ann Letort, Capt Jno dubrois, peter Bisalion, mounce yokum, Lewis, the French Canada prisonr, Benjn Clift & Thomas graves, to be here present the Sixt of Februarie next.

[6th Febry, 1693-4.

Att a Councill Held att philadelphia the Sixt of February, 1693-4.

WM. MARKHAM, Leivt. Governor.

Robert Turner,
John Cann,
Wm. Salway, } Esqrs.
Lacy Cock, Esqr.
pat. Robinson, Secry.

The Informaon of Thomas Jenner and polycarpus Rose, exhibited to this board the 19th of Decembr, 1693, agt Ann Le Tort, &c. was again read, and by peter Reverdie interpreted to her & her husband from the English into French.

Shakhuppo, an Indian king, being examined by Capt. Cock, interpreter, saith That hee knows nothing of anie Letters sent to strange Indians by Ann Le Tort, nor by anie others, but that hee hath seen some strange Indians come to trade with her, but that hee neither knew ym, nor understood their Language.

Kayantarras' wife, by the sd Capt. Cock, interpreter, being examined, saith that shee has sometimes seen strange Indians come to Le Tort's plantaon to buy goods.

The said Ann Le Tort, by peter Reverdie, Interpreter, saith, that what those Informants by mistake call a packett of Letters, was onlie a book of accots of what the Indians owed them, wrapt up in a blue Linnen Cloath to preserve it from the weather.

To the 5th article, about Le Tort's whipping polycarpus Rose, & calling the English and Sweeds rogues, Shee saith, That the Indians are much indebted to her & Little to peter yokum, and that hee came befor her hous with Rum, & therwith enticed the Indians from her; wherupon shee in her anger, might call him & the sd polycarpus Rose names.

To the 1st article, The said Ann Le Tort saith, That shee never had anie such discourse with Hicquoquean, nor has shee seen him these three years past.

Benjn Clift being Lame and not able to travell, sent to the Leivt Governor a paper, wherin hee saith, That two of or Indian kings told him that ther have been Severall Lettrs & powders sent to Canada by peter Bisalion, & that Lewis, the french Canada prisoner that lives at Le Tort's, told our Indians that they should see in a short time that all our English wold be cutt off by the French, and that if the English wer from amongst us you & wee should Live bravelie.

Capt. Cock saith, that hee believes our Indians are onlie afraid that the strange Indians will come and Surprize them.

Wherupon the Leivt. Governor ask't and desired the Councill's opinion, Whether from the abovesaid examinations & proffs, ther wer sufficient grounds wherupon to bring the sd Ann Le Tort to a tryall.

They wer Unanimouslie of Opinion that there wer not.

The petion of some of the Inhabitants of philadelphia & of some other parts of the province, was read, setting forth their Jealousies relating to the French in generll amongst them, and more speciallie referring to those trading in remote & obscure places with the nativs, without securitie or approbaon: And therfore, Requesting that the French may be called from those places, where they still Continou their Commerce with the Nativs, and that if they be permitted to retail trade, that it be in places of this or other towns in the province, and that neither they, nor anie others, be permitted to freedom of trade with the natives, but such as are approved of, and upon securitie of acquainting the government with all the matters they can hear or observe concerning the natives and the enemies of the Countrie.

It was hereupon Resolved, That Capt. Jaques Le Tort give to the Leivt. Governor sureties that hee shall acquaint the governmt with all matters hee can hear of or observe concerning the Natives & the enemies of the countrie, and that he take the oaths appointed by act of parliamt to be taken in stead of the oaths of allegiance and supremacie.

Ordered, that Capt Le Tort, or his wife, bring before the Leivt. Governor and Councill Lewis, the Frenchman that Lives att his house, the 13th instant.

Ordered that Robert turner, treasurer, give to Shakhuppo and kyantarra's wife two match coats, and two shillings sixpence in monie.

His Excellies Letter to the Leivt. Governor and Councill, dated "the 25th of January, 1693-4, was read, Wherin Hee sayes: "I "find it needfull for their Maties' service to call a generall Assemblie "in the spring; doe therfor ask your advice of the time & place of "meeting, Which I will order accordinglie. I shall be readie to "meet you the Later end of March, or beginning of Aprill, Unless I "be called to the fronteers. You are sensible of the weaknes of "governmt without support. I hope you will use yor endeavors to "gett such to assist me who are best qualified for that service."

After some debate, it was the unanimous opinion of the Leivt. Governor & Councill, That the most Convenient time for the sitting of the next generall assemblie wold be about the tenth day of Aprill next, and the most Convenient place the town of philadelphia, But Humblie submitted both time and place to his excellies pleasure; And desired the Leivt. Governor to return their heartie thanks to his excellie for his care of them, assuring his excellie that they should not be wanting in anie degree of their dutie to, and assistance of his excellie, according to their power and abilitie.

[7th Febry, 1693-4.

Att a Councill Held att philadelphia ye 7th of February, 1693-4.

PRESENT:

WM. MARKHAM, Esqr., Leivt. Governor.

Robt Turner, John Cann,	Esqrs.	Lacey Cock, Esqr. pat. Robinson, Secry.

The petion of Thomas Lacey agt John Swift, having been read, Ordered that the Secrie write to Jno Swift to be here the 13th instant, to make ansr to the sd petition.

The petion of philip England having been read, setting forth that hee hath been Lawfullie Impowred and authorized to keep an Ordinarie and ferrie att Skuillkill, first by an order from the proprietor, dated the 16th of 8ber. 1683, under his hand and Seal, therin strictlie Charging that no person presume to transport anie passengers for monie or reward, over the said river, neer the sd ferrie: secondlie, by an order from Governor Fletcher, dated the 29th of Aprill Last, fullie Confirming the proprietor's grant to the petitioner for the sd ferrie and ordinarie: And thirdlie, by a Leass from the Leivt. Governor, in behalf of the proprietor for the sd ferrie, for a certain term of years, att the yearlie rent of seven pounds; And that the sd petitionr seatled himself and familie theron, the acco' of keeping the said ferrie, and has been att great charges to fitt & accomodate the same with boats & Cañoes, and in making a convenient Landing place on both sides of the river, both for horses and passingers, And is obliged to attend the publick service of the government. Notwithstanding of all which, one Wm. powell, in Contempt of the authoritie aforesaid, hath a Long time ferried over people and horses, & has for six mo. past erected a boat, as ferrieman, and ferried over severall horses and passengers, to the petitionr's great detriment, and since his being called to acco' for his contempt of the authoritie aforesaid, befor the Leivt Governor & Councill, which was the 18th of July, 1693, has pretended to sell the sd boat to certain people, who doe employ one Nathaniell Mullinax to ferrie them over, in Contempt of the power and authoritie aforesaid; And yrfore, Requesting the Lievt Governor and Councill to cause the sd Wm. powell and Nathaniell Mullinax to appear befor ym to ansr the contempt aforesaid, as also for the wrong the petitionr has sustained yrby, that so yor petitionr may receive such Justice herein as you shall Judge meet. Nathaniell Mullinax having appeared, the minuts of Councill of the 27th of June & 18th of July & 19th 7br. relating hereto wer read, Wherin Wm. powell promised that hee wold desist from and Leave off ferrying over people att that place, & that none else undr him should ferrie anie people over from his Land for anie reward, and which the Lievt Governor and Councill charged him strictlie to observe att his perrill.

The sd Nathaniell Mullinax being interrogated who they were that first employed & hyred him to ferrie people over, Hee ansred, That most of the people of Harford & Marion, & some of darbie, imployed and hyred him to ferrie ym over, and that they were to pay him his wages, & that he knew no reason why he might not work for his Living as well as others: And after sometime hee brought in a List of the names of some that imployed him, viz: Evan prothero, Wm Howell, Thomas Smith, Wm. Smith, Morris Luellon, David Meredeth, Jn^{o} Rhodes, Wm. Warner, Humphrie Ellis, Ellis Ellis, Hugh Roberts, Robert Owen, Jn^{o} Apowen, Richard Haye, Adam Rhodes, Christopher Spray, Davis Lues, Lues David, David Ewer, John german, Hugh Shone, Evan Hendric, Wm. garrett, John Blunstone, Sam^{ll} Lewes.

It was ordered that the sd Nathaniell Mullinax be comitted to the Comon goale of this County, till hee give good and Sufficient securitie to the Leivt. Governo^{r}, that hee shall ferrie no more persons, horses, nor cattle over Skuillkill, att Wm powell's, for gift, hyre or reward, directlie nor indirectlie; And that the said boat be forthwith Seazed and secured by the sheriff, till the owners therof appear befor the Leiv^{t} Governo^{r} and give the like securitie.

Upon reading the petion of Jn^{o} Bristow, setting forth that when hee was Ranger for Chester Countie one Richard Thompson, in 1692, brought to him an unmark't horse as a stray, which the petition^{r} received from him, and therafter the grand Jurie for sd Countie presented the petition^{r} for receiving a markt horse for a stray; Att which Court of Quarter Sessions the petition^{r} was discharged from the sd presentment, upon evidence that the sd horse did not appear to be arteficiallie markt when hee came to the petitionrs hands; Wherupon the petition^{r} was ordered by the then Court to sett up a paper on the Courthouse door, to notifie that in Case anie person should come and prove the said horse to be theirs, they should have him returned; which the petition^{r} accordinglie did, As by a Certificate und^{r} the hands of the then Justices for the sd Countie, and und^{r} the hands of the grand Jurie therof, has appeared; Notwithstanding wherof, the Late grand Jurie for the sd Countie have of new presented the petition^{r} for y^{e} same thing, wherof hee was formerlie cleared, tho' no person hath yet appeared to owne the sd horse, which the petition^{r} believes is done of purpose to stopp him from prosecuting his intended voyage for England, and to damnifie him in his good name & reputation; And therfore, Requesting such releif in the premisses as the nature & circumstances of his case requirs, and that the rather, that the petition^{r} is still willing for peace sake to deliver up the sd horse to anie person that can make proof that ever hee was theirs, tho' he has paid half of his value to the proprietor's receiver, &c.

It was the opinion of the Leiv^{t} Governo^{r} & Councill, That (the new presentment seeming rather Litigious than just,) the Court of Chester Countie be advised to moderation, and to be carefull not to countenance anie thing that caries with it the face of anie former grudge, animositie or revenge, ag^{t} anie person whatsoever.

Ely Lush, Wm Rawlings, Charles kemarr, Rob^{t} Lindsay, peter Goss, mariners, having made proofe befor the Leiv^{t} Governo^{r} and Councill that they were ordered by —— petit, M^{r} of the ketch James, (wherof Cap^{t} James Risbie was owner,) to putt on shore Nathaniell Lukins, who piloted the said ketch down the bay of delaware, which they did, and that by reason of the bad weather att Cape Henlopen, they could not get on board the sd ketch again, and that they were readie to deliver the ketch's boat to John More, attornie to said Risbie, and therfore, requested they might have a Certificate from the Leivt Governor accordinglie, which was granted them.

[13th Febry, 1693-4.

Att a Councill Held att philadelphia the 13th of February, 1693-4.

PRESENT:

WM. MARKHAM, Esqr., Leivt. Governor.

Robert Turner, } Esqrs.
William Clark, } Esqrs.   Pat. Robinson, Secrie.

The Leivt Governor represented to the Councill, That the proprietor's Comrs of propertie, had made applicaon to him by way of complaint, That Wm darvall of kent Countie, stood Lawfullie indebted to the proprietor in certain considerable sums of monie upon obligaon and for arrears of Quit rent, and that one John Barns, who has lived on sd Wm darvall's plantaon in the sd Countie, does without anie due Course of Law, imbezill, wast and Consume the goods, household stuff, cattle, and stock of the sd Wm dervall, and sells and squanders away the same, and Converts the monie to his owne use, Intending to Leave this province and to Carie with him what hee can of the sd Wm. darvall's estate, to the utter ruine of the sd Wm. darvall, and to the totall defeating the proprietor of his just debts So owing to him, and therfor, Requesting the assistance of the governmt for prevention therof.

Ordered, that a warrt be issued from the Leivt Governor, directed to the Sheriff of kent Countie, to secure the person of the sd Jno Barnes, untill hee show good and Sufficient reason for his doing as above. And in the meantime, to attach, att the proprietor's suit, and take into his Custodie all such goods, household stuff, stock and Cattle that shall appear to belong to sd Wm. darvall, in whois hands soever they be; As also, to secure all such monies as are in the hands of anie person whatsoever, as the produce of anie of the goods of the sd Wm. darvall, sold to them by the said John Barnes.

Robert Wade's petion having been read, setting forth That hee is Lawfullie seized in fee simple, in an estate of inheritance to him & his heirs forever, in a piece of Land in Chestertowne, oppositt to & ranging with the front of the Court house of the sd Countie, Beginning on the south west side of the sd street of the sd town, and so to Low water mark in the Creek in depth, and fiftie-three foot in breadth, fronting sd street, with all its appurtenances, under the yearlie rents due to the Lord of the soil therof, As by his deeds for the same, dulie perfected, to the Leivt. Governor & Councill produced, hath appeared; and that notwithstanding therof, on the 5th day of the 4th mo. 1689. the grand Inquest for the sd Countie of Chester did, without the petitioner's knowledge, Leave, or consent, and without offering or paying to the petion^{r} the Least consideraon, Lay outt the petitioner's said whole piece of Land for a public Landing place and open street, for the pretended Service of the said Countie, and the then Justices of the sd Countie declared to the petition^{r}, that they Seazed it for the king; and that the petion^{r} being a freeman, cannot by Law be disseized of his freehold but by the Judgment of his 12 equalls, by a Legall tryall, and which act of the Court has been to the petitioner's great Loss & damage, who is daylie threatened to have what hee shall build on sd his Land pulled downe and throwen into the sd creek, and therfor, requesting such remedie & redress in the premisses as is agreeable to Justice & equitie.

Wherupon, the Leiv^{t} Governo^{r} ask't the advice of the Councill, who after further hearing of the said Robert Wade, ordered that the said Court, or Clark therof, (on the petitioner's request of payment for it,) send to the Leiv^{t} Governo^{r} & Councill by whois and what warrant the then Court and grand Jurie So Laid outt the petitioner's Land aforesaid, and that hee send a Copie of the same warrant, & of the whole presentments, orders and minutes of Court from time to time, relating to this affair.

Upon reading the petion of Thomas Lacey, setting forth that being by Mary Rowles, servant of John Swift, unjustlie accused for the father of her bastard child, and by sd Swift's procurement was bound over in 40lb, to ans^{r} att the next Court of Bucks, att which the petition^{r} appeared, and the Court bound him in 10lb, & Israell Taylor, his suretie, in 5lb, for appearance att the next Court, att which time the petition^{r} being sick appeared by his attornie, where Little was done in the matter, & being advised that ther was no need of appearance att another Court did not goe, wherupon his bonds wer forfeited, on which they gott outt execuon ag^{t} the petition^{r}, and have Leavyed it on Israell Taylor's goods, & the petition^{r} is threatened by sd Swift with the sd execuon throughoutt all the province, to his detriment, and that as hee has formerlie offered to take the bastard, & to give securitie for maintaining of it, so he is still readie to doe, if Jn^{o} Swift and its mother will part with it, Which they refuse; And yrfor, Requesting the fine may be forgiven, & also all such Corporall punishment as the severitie of the Law might inflict on him by reason of the false accusaon of the sd Rowles.

John Swift appeared and answerd, that it was true that said Rowles Laid the sd child to the petitioner, but that hee was not bound over by his procurement, being done under the Late goverm^{t}; that hee was never bound in 40lb, but in 10lb, & his securitie in 5lb, & that hee never appeared att anie Court, and that ther's no execuon outt ag^{t} him nor his suretie; that hee has yet given no securitie for maintaining the sd child, and that the mother will not part with it.

Ordered, that the petition^{r} produce to the Leiv^{t} Governor and Councill a copie of the records of the sd Court relating to the whole affair, wherby it may appear whether the sd bonds wer forfeited or not; and the Leiv^{t} Governo^{r} told sd Swift that no Countie should be a place of refuge for persons that had broken the Laws in another Countie, and that if he wold take outt a warr^{t} from ym to carie him into their Countie for his Legall tryall & punishment, hee might have it; and if hee desired that the petition^{r} should give securitie here for maintaining the child, they wold force him so to doe. To which sd Swift ansred, that it was not his bussines to be att anie Charge about such a fellow.

[20th February, 1693-4.

Att a Councill Held att philadelphia the 20th of February, 1693-4.

PRESENT:

WILLIAM MARKHAM, Esq^{r}. Leiv^{t} Governo^{r}.

Robert Turner, William Clark, } Esq^{rs}. Pat. Robinson, Secry.

No bussines presenting, The Councill was dismist.

[27th February, 1693-4.

Att a Councill Held att philadelphia the 27th of February, 1693-4.

PRESENT:

WILLIAM MARKHAM, Esq^{r}., Leiv^{t} Governo^{r}.

Robert Turner, Wm. Salway, } Esq^{rs}. Lacy Cock, Esq^{r}. pat. Robinson, Secrie.

Robert Owen and divers others of the Inhabitants beyond Skuillkill, in this province, appeared befor the Leiv^{t} Governo^{r} and Councill, and signified to ym that they had a propertie in the boat Latelie seazed by their order, and that their transporting ymselves therin over Skuillkill, proceeded not in the Least from anie Contempt to the authoritie of the province, and therfor Requested that they might have their boat returned to them again, & that for their more easie Coming to their meetings, fares & marketts, & to the election of representatives to serve in the ensuing assembly, they might be permitted to transport ymselves therin.

Upon Consideraon wherof, & y^{t} the sd Inhabitants might not pretend that by the detention of the sd boat they wold be hindred from coming to the sd election, It was ordered by the Leiv^{t} Governo^{r} & Councill, that the sd boat should be by the sheriff delivered back to them, & that the owners yrof might transport, or cause ym selves to be transported therin, without taking anie monie or other reward therfore, untill such time as his Excellie the Chief Governo^{r}, should come hither, to whom they referred the full hearing & determining of the whole affair. For which the said Inhabitants returned to the Leiv^{t} Governo^{r} their Heartie thanks.

[24th May, 1694.

Att a Councill Held att philadelphia the 24th day of May, 1694.

PRESENT:

His Excellencie BENJAMIN FFLETCHER, &c.

Wm. Markham, Esqr, Leivt Governor.

Andr Robeson, Robt Turner, Esqrs. Wm. Clarke, Geo. foreman, Esqrs.

The petion of Breta Jonson was read, Setting forth that shee is the widow of derick Jonson, who was executed for the murder of a man, &c. wherby his estate, reall & personall, became forfeited to their Maties, But by the Clemencie of the Leivt. Governor, the petitionr was ordered one moity yrof, for her and children's subsistence, but Could not gett possession of anie of the movables, onlie the moitie of the Land and house, and is now in a verie Low condition, having three children to maintain; And therfor, Requesting his Excellie to Consider her condion, & reverse the judgmt which was executed on the other moity of the Land, and in his clemencie & charitie, Order the restoraon of the moity which is not in her possession, for a further support to her present necessities. The abov sd petion was referred to Wm. Salway & Geo. forman, esqrs., to report what they Judge proper to be done in answer therto; And they having Reported that by the Law the widow hath a right to half the personall estate, and desired, with the rest of the Councill, that his Excellie will grant the other half for ye maintainance of herself and children, His Excellie ordered that the same be granted her for that use, shee paying all reasonable charges and fees.

[30th of May, 1694.

Att a Councill Held att philadelphia the 30th day of May, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

Wm. Markham, Esq., Leivt Governor.

Robt Turner, pat. Robinson, Wm. Salway, Esqrs. Wm. Clarke, Geo. Forman. Esqrs.

His Excellie ordered the reading of the articles exhibited by some of the Inhabitants of Philadelphia agt Robert Brett, Clark of the markett, which wer read, and ordered the said Robert Brett should have a Copie therof.

Ordered that a warrant Issue upon Robert Turner, Treasurer, for payment of One Hundred pound to daniell Honon, for his Excellie's use.

[2d June, 1694.

Att a Councill Held att philadelphia the second day of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

Wm. Markham, Esqr., Leivt Governor.

Andr Robeson, Robt Turner, pat. Robinson, Esqrs.
Wm. Clarke, Geo. forman, Esqrs.

The petion of Joseph Brayman, in behalf of himself and wife, The reference therof to Wm. Clark, esqr., and his report therupon, wer read. The Report in his favour approved, and the petition granted.

[4th June, 1694.

Att a Councill Held att philadelphia the fourth day of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

Wm. Markham, Esqr., Leivt Governor.

Andr. Robeson, Robt Turner, Esqrs.
pat. Robinson, Wm. Clarke, Esqrs.

His Excellie did offerr that he is desirous to give all just Satisfaction to the people, and therfor proposed to affix placardes, giving notice to all persons that hee hath appointed Tuesday, att eight in the morning for the hearing of anie Complaints made agt Robt Brett, the Clark of the market, for anie misdemeanors Comitted in the execuon of his office, wher all Complainants & evidences shall have access, which is agreed unto, and ordered accordinglie.

His Excellie did Likewise acquaint the Councill, that hee hath appointed the same time for enquiring into the matter of peter debuc, deceased, which Comes under his Excellie's Cognizance, and desired they would be wittnesses therto.

[5th June, 1694.

Att a Councill Held att philadelphia the 5th day of June, 1694.

PRESENT:

His. Excellie BENJAMIN FLETCHER, &c.

Wm. Markham, Esqr., Leivt Governor.

Andr Robeson, pat. Robinson, Wm. Salway, Esqrs.
Wm. Clarke, Geo. forman. Esqrs.

Robert Brett, Clark of the market, being heard, & manie persons appearing agt him, they made severall misbehaveors appear in the execuon of his office, for which his Excellie discharged him from the said office.

The bussines of peter debuc's will deferred till afternoon.

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3 of the Clock, afternoon.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

Wm. Markham, Esqr., Leivt Governor.

Andr Robeson, pat. Robinson, Wm. Salway,	Esqrs.	Wm. Clarke, Geo. forman,	Esqrs.

His Excellie Having ordered the Hearing of what might be offered agt the will of peter de buc, deceased, and severall things being offered by sundrie persons, wherin they seem to insinuate there was fraud and Collusion in the making therof, His Excellie did, upon hearing therof, dismiss the people, and desired the Councill to give their opinions upon the whole matter, Whether or not the will, which was proved befor the Leivt Governor, Can be allowed or not; Which being putt to the vote amongst the members of Councill, was caried in the affirmative, & his Excellie did allow yrof.

[6th June, 1694.

Att a Councill Held att philadelphia the sixt of June, 1694.

PRESENT:

His Excellie BENJAMIN FFLETCHER, &c.

Wm. Markham, Esqr., Leivt. Governor.

Andr Robeson, Robt Turner, Pat. Robinson,	Esqrs.	Wm. Clarke, Laur Cocke, Geo. forman.	Esqrs.

The petition of Waddy Reynolds was read, & Ordered Wm. Clarke, Esqr. be Impowered to hear and determin the matter of complaint, & to See that the widow & children be not injured, and that an Ordr Issue forth to the justices of the peace to stopp anie further process in the mean time.

The petion of Mary White was read, and ordered the Justices of the Countie Court deliver her accots, & cause them to be regulated according to the table of fees then established.

[11th June, 1694.

Att a Councill held at philadelphia the yth day of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

Wm. Markham, Esqr., Leivt. Governor.

Andr Robeson,
Robt turner, } Esqrs.
Wm. Clarke
Wm. Salway, } Esqrs.

The petion of Mary White was read, qrin shee setts forth that her Husband, deceased, was sheriff of philadelphia, & became bound for the rent of ye house hyred for the use of the Countie, to be a goal; that the rent of the sd house is not yet paid, and the bond of the sd Jno White standing outt agt the petitionr, to her great trouble.

Ordered, the Justices of the peace in the Countie of philadelphia, draw a warrantt upon the Countie Collector, to pay the rent due for the said house, and procure the said bond to be delivred up Cancelled, to the petitioner.

His Excellie did acquaint the board that hee did receive informaon Saturuday night, that after the dissolution of the Assemblie, David Loyd, with the Representatives, returned to the place of their sessions, and david Loyd assumed the chair, and said they wer not dissolved until they had dissolved themselves also, and caused some minute to be entred upon record.

His Excellie desired the opinion of the Councill to send for the Clark of the late Assemblie, together with the minutes of their Journall, Which the Councill doe approve of.

Ordered, Jno Claypoole, Esqr sherif of philadelphia, doe forthwith bring the Clark of the assemblie, with the minutes or Journall of their House, befor his Excellie in Councill.

His Excellie did give to understand that the assemblie did insinuate in their Remonstrance, that something in the former Assembly was done in ansr to the Queen's Letter, produced the act to the Councill, & demanded the opinion of the Councill whether it doth appear that they have given anie thing to ansr the Queen's Letter.

It is the opinion of the Councill that ther was nothing granted in the first assembly to enable his Excellie to ansr the Queen's Letter, nor anie thing proposed in the Last Assemblie that could be construed that way.

It is the opinion of the Councill, nemine Contradicente, that his Excellie, the Governor, hath proceeded in all matters in this Late Assemblie with great prudence and moderation, and with their Consent and advice, and not otherwise.

The Clark of the assemblie Having brought the minutes or Journall of the Assemblie, It found entered that upon the Governor's request they did adjourn to the Councill chamber, after his Excellie the Governor, had dissolved the assembly In hæc verba is entred. Upon their Return the Speaker Reports that the Governor was pleased to dissolve this house, & it is accordinglie dissolved.

The Comrs of the propertie of Mr penn gave in their report concerning the ferrie at Skuillkill, that it is the undoubted right of the proprietor. His Excellie gave his opinion that they ought to maintain & support the proprietor's right in his ferrie, as they had done formerlie, And ordered a warrant Issue to the keeper of the said ferrie, requiring him to pursue the rules yrof, and a prohibition to all others from offending agt the said rules, or using anie other ferrie within foure miles distance on either side the river, of the proprietor's ferrie.

The petition of sundry freemen & Inhabitants of philadelphia, praying that the street upon the bank in philadelphia, of thirttie foot breadth, as the same is agreed upon by the Inhabitants and possessors, under hands and sealls, by Indentures, may be Laid outt, and surveyed and cleared, and afterwards Held and reputed a street of the said Town of philadelphia, by the name of Delaware street. And It is Ordered therupon, that the said street shall be Laid outt & surveyed forthwith, and afterwards, as soon as possible, may be cleared, according to the sd Indentures and agreement, To be Held, reputed and taken as a Comon street of the town of philadelphia, by the name of KINGS-STREET.

[15th June, 1694.

Att a Councill Held att philadelphia the 15th day of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

Wm Markham, Esqr., Leivt. Governor.

Andr Robeson, Robt Turner, pat. Robeson,	Esqrs.	Wm. Clark, Lawr Cock,	Esqrs.

His Excelly told the Councill how manifest it is to ym all, How his Excelly has tendered the Queen's Letter to the assemblie, & proposed something to be done by them in ansr yrto, in a manner agreeable with the principles of the people, & that nothing is done in ordr yrunto. That the Queen's Letter is directed to his Excellie & not to the assemblie, Therfore desires the advice of the board, If it be not proper for his Excelly to array the whole province and detatch att Least fiftie men for the assistance of albanie, or if ther be anie other way Left his Excellie to answer the sd Letter since the assemblie have shutt their purses agt the king.

Resolved, the Councill doe draw up their answer to his Excellies proposall in writting, undr their Hands.

His Excellencie, with advice and Consent of the board, did sign a proclamation for the encouragment of the proprietor's ferrie over the Skuilkill.

[26th June, 1694.

Att a Councill Held att philadelphia the 26th day of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esqr., Leivt Governor.

Andr Robeson,
Robt Turner,
pat. Robinson, Esqrs.

Wm. Salway,
Lawr Cock,
Geo. forman, Esqrs.

Ordered a warrant Issue to the Receiver Generll, for the paymt of the whole Amount of the Tax raised by the pennie in the pound, granted by the assemblie, anno 1693, to Andrew Robeson & patrick Robinson, Esqrs., who are by his Excellie appointed to dispose yrof as his Excellie shall direct, for yr maties Service.

His Excellie did Recommend to the Leivt Governor and Councill the care of the Government during his absence, that they will endeavour the peace and prosperitie yrof, and heall the divisions & Controversies that may happen amongst the people. Soe bid them farewell.

[6th July, 1694.

Att a Councill Held att philadelphia the Sixt day of July, 1694.

PRESENT:

COLL. WM. MARKHAM Esqr., Leivt Governor.

Andr Robeson,
Robt Turner, Esqrs.

Lawr Cock,
pat. Robinson, Esqrs.

The Leivt. Governor acquainted the Councill That the occasion of his calling them together was, that yesterday Lacey Cock, Esqr. informed him that the Delaware Indians were come down to discourse him.

Hithquoquean, kyanharro, Shakhuppo, Oriteo, Menanzes, Mohocksey, Tamanee, Alemeon, with severall others of the Delaware Indians, were admitted.

Hithquoquean (in name of the rest of the delaware Indians) took outt and Laid down a Belt of Wampum, which hee said was sent to ym by the Onondages & Seneckaes, who say, you delaware Indians doe nothing but stay att home & boill yor potts, & are Like women, while wee Onondages & Seneckaes goe abroad & fight agt the enemie. The Seneckaes wold have us delaware Indians to be ptners wt ym to fight agt ye french, But wee having allwayes been a peaceable people, & resolving to Live so, & being but week and verie few in number. cannot assist ym; & having resolved among orselves not to goe, doe Intend to send back this their belt of Wampum. Mohocksey said: The former belt sent by the Oneudages & Senekaes, is sent to us all, & wee have acquainted one another wt it, & tho' wee live on the other side of the river, yet wee reckon orselves all one, becaus wee drink one water. Wee have had a Continoued friendshipp with all the Christians & old inhabitants of this river, since I was a young man, & are desirous to Continou the same soe Long as wee Live; And gives a Belt of Wampum.

Tamanee said: Wee and the Christians of this river Have allwayes had a free rode way to one another, & tho' sometimes a tree has fallen across the rode yet wee have still removed it again, & keept the path clean, and wee design to Continou the old friendshipp that has been between us and you; and gives a Belt of wampum.

The Leiv^t Governo^r said, That by three of the Clock in the afternoon hee wold consider & give ym an answer.

—

3 a clock afternoon, præsentibus ysdem; except Andrew Robeson.

Law^r Cock, Esq^r. acquainted the Lt. Governo^r that kyanharro & Oriteo, two Susquehanna Indians present, had something to say, and in respect they could not be understood, desired Menanzes to speak for ym.

Menanzes sayes, That a certain Indian king (being kyanharro's old acquaintance) having Come from the Cayogues to kyanharro's house to see him, and on his way the sd king and his kyanisse Indians had some mischance befallen ym, for the Titwa's, the naked Indians, fell upon ym; But the sd king & his kyanisse Indians fought their way through ym & gott to kyanharro's house, where they desired to remain & be entertain'd in a peaceable Countrie. Menanzes in their name gives six deer skins. To whom kyanharro replied: You are of my blood; I cannot denie you, but must receive you; and the sd kyanisse Indians desired that kyanharro wold speak with the Christians that they wold receive ym with the same kindness as hee did, and y^t as they are here protected by the Christians, the sd kyanisse Indians hope to meet with the same protection. Gives six doe skins.

The Leiv^t Governo^r acquainted those Indians that on the 4th instant, Jn^o Budd informed him that an Indian king of West Jersey, with other Indians of this place, told him that from a meetting they Latelie had within 25 miles of this governmt, they brought two belts of wampum & delivred ym to Capt Cock, to present ym to his Excelly in ord^r to a treatie for confirming their former Leaque with the English; that they complained that they had severall dayes delivred in their belts & could have no hearing, but wer putt off by promises that they should be heard one day after another. They tarryed in town eight or nine dayes, & that about thirteen dayes since Mohoksey's son came here & acquainted him, the sd Budd, that hee was sent to see if the philadelphians could give him a good word back; And that about ten dayes since the sd Informant being att peter Stallcupp's house, in Newcastle County, said Stallcupp told him that an Indian called Nescacatho, then informed an Indian king named Awahelah, saying Verie ill news, (repeating it again,) & said you know that from such a meetting wee sent two belts of wampum in ord^r to a treatie, But the Go^r of newyork wold not treat with us, & they have had in philadelphia a great number of men, with drums & guns, &c; & the same att New Castle while the Go^{r} was there, & y^{t} hee went thence to Maryland, w^{t} such speed y^{t} they killed two horses in the way, which things Look w^{t} a verie ill design; wee believe y^{t} there is no good meant by the English; there is some speedie matter in hand. The sd Budd further saith y^{t} Last Moonday hee acquainted Joseph Wilcox w^{t} the substance of the abov wrttin.

The Lt. Go^{r} askt the Indians if the sd informaon was true: they ansred it was all false, ther was no such meetting, nor no such design to treat w^{t} Go^{r} Fletcher, nor no Hearing ask"^{t}, And if Mohocksey's son or their young men when drunk, told Jn^{o} Budd anie such thing, hee should not make a storie of it unles hee had had it from their Sachims. Law^{r} Cock also said, that the two belts wer given him by Tamanee & Hithquoquean, to be keept for ym till they should call for them.

The Leivt. Go^{r} told M^{r} Budd, that he was much to blame for giving his Informaon first to the Justices, (who never acquainted him of it, nor of his Informaon,) especiallie since it concerned the peace of the province in Generall, & for y^{t} hee came not to him till hee was sent for, and that if hee Comitted the Like again hee should not goe unpunisht, & soe dismist him.

Then the Lt. Go^{r} (by Law^{r} Cock, esq^{r}. Interpreter,) answered the Indians: You did verie prudentlie to Consider well how you entred in a warr w^{t}out advice & consent of their Maties of great Britain's Chief Go^{r} here, who is Governor of New york. I heare there are sober & wise men among you, & ther's an old man who cannot come down, who can give you good Counsell, & you must be Considerate in what you doe, for wee have enemies round about us.

It's but of Late that wee took up armes, & I assure it's not o^{r} design y^{r}by to make warr upon you, nor upon any others; but thereby to be in a Capacitie and readiness to defend o^{r}selves and you from o^{r} & yo^{r} Comon enemie the French, if they should happen to assault us or you.

His Excellie the Go^{r} of Newyork is also Chief Governo^{r}, & came hither to see what men and monie hee could raise for the defence of Albanie the frontiers from the French & Indians; Hee caried some monie with him but suffered o^{r} men to stay att home to defend ymselves & their Countrie ag^{t} the french. While here He enquired how o^{r} Indians and wee Christians agreed; We answered that for manie years wee had Lived as brethren. He desired wee might Continou our friendshipp, for said hee, The enemie of one is the enemie of both. The Leiv^{t} Governor also said: If the Senekaes send again to you doe you send to me, and Ile send an express to Newyork, and His Excellie will take care that the Senekaes shall doe you no Injury. Soe they all departed, verie well satisfied with the Lt. Governor's answer.

[2^{d} August, 1694.

Att a Councill Held att philadelphia the 2^{d} day of August, 1694.

PRESENT:

COLL. WILLIAM MARKHAM, Esq^{r}. Leiv^{t} Governo^{r}.

And^{r} Robeson, Rob^{t} Turner, } Esq^{rs}. Pat. Robinson, Wm. Clarke, } esq^{rs}.

The Lt. Go^{r} produced to the Councill an ord^{r} to him from his Excellie the Chief Go^{r}, Requiring him upon receit yrof, y^{t} hee Cause Charles Sanders, esq^{r}. to be Sworn one of the Councell of the province of pennsilvania & Countrie of Newcastle; Which was accordinglie done: And the sd Charles Sanders having taken the oaths appointed by act of parliament to be taken in stead of the oaths of allegiance and Supremacie, & subscribed the Test, Took his place att the board accordinglie.

10th August, 1694.

Att a Councill Held att philadelphia the 10th of August, 1694.

COLL. WILLIAM MARKHAM, Esq^{r}. Leiv^{t} Governo^{r}.

And^{r} Robeson, Rob^{t} Turner, pat. Robinson, } Esq^{rs}. Law^{r} Cock, Geo. forman, Charl. Sanders, } Esq^{rs}.

William Clark, Esq . exhibited an Informaon to the Leiv^{t} Governo^{r} & Councill, setting forth that att a Councill held att philadelphia on the 10th of aug^{t}, in the sixt year of y^{r} Maties reign, before the Lt. Go^{r} & the rest of the members of their Maties Councill, personally appeared the sd Wm. Clarke, esq^{r}, Collector of their Maties Customes in the sd province & Territories, who (as well on the behalf of y^{e} king & Queen as of his Excellie, the Governo^{r} of y^{e} sd province, as also on the behalf of the sd Wm. Clarke,) in this Case prosecutes, gave the Councill to understand & be informed y^{t} hee, the sd Wm. Clark, had on y^{e} 21st of July Last, att Lewis, in Sussex Countie, in the Countrie aforesaid, seized on sundrie goods, wares, Comodities and merdizes imported thither, of the growth, production or manufacture of Europe, wch were not bona fide & without fraud laden & shipt in England, Wales, or y^{e} Town of Barwick upon Tweed, & in English built shipping, or wch were bona fide bought before the first day of October, 1662, & wherof the M^{r} & three fourths of the mariners att least, are English, & caried directlie thence to y^{e} Lands, islands, plantaons, Territories & places to their Maties belonging in Asia, Africa or America, Tangier onlie excepted, and from no other place or places whatsoever: As also, that hee, the sd Informant, had Likewise seized on sundrie other goods & merdizes for which their Maties Customes & duties were not dulie & trulie paid, (the particulars qrof are, viz: One small bale of fine Linnen, 2 baggs of Cocco nutts, 14 peices painted Callico's, 14 peices Strypt Linnen, 2 peices of figured Linnen & woollen, 2 peices of Strypt Linnen & woollen, One Remnant of ferrandine, 15 Cards of Lace, One bagg of Cinamont, 15 papers of silk, 13 peices of Holland or white Linnen, One Remnant of alamode Silk,) Contrarie to the Laws and Statutes in that Case made and provided: And therfore, the said Informant Craves the Judgment of the Councill agt ye sd goods and merdizes, & whether they ought not to be forfeited & disposed of, according to the direction of the aforesaid acts of parliamt: WM. CLARK.

After reading qrof appeared George parris, owner of the sd goods, who had nothing to say for his owne defence nor in defence of the sd goods, And therfore, Judgmt past agt the sd goods, wares, and merdizes, that they were forfeited, and that they should be disposed of according to Law.

Ordered that the Secrie Issue a warrt to George Heathcote, philip Richards, & Jno Whitpain, Mertz, or any two of ym, forthwith, upon their oath or attestaon, to apprize & Value the sd goods, & to make return yrof into the secries office, wch was accordinglie done: And which apprizers made Return of the sd warrt into the sd office, & valued the same att eightie-two pounds monie of this province, as the sd warrt & return yrof, undr the hands & sealls of ye sd philip Richards & Jno whitpain remaining on the files of Councill, more att Large proport.

Att the same Councill, psentibus ut antea & Wm. Clark.

A Lettr from Jno Brinkloe, Geo. Martin & daniell Jones, esqrs., Some of the Justices of peace for the Countie of kent, dated 4th Augt, 1694, was read, qrin they Signifie to the Lt. Gor yt att the time when their Last Courts of quartr sessions & Comon pleas should have been held, according to their Last adjournment, The sd Geo. Martin & daniell Jones appeared att the place appointed, & wer willing to hold Court, but Jno Curtis, another of the Justices, wold not sitt, & Jno Betts, another Justice, sent word by a Constable yt hee wold never sitt there, meaning att James Maxwell's, att the Head of Jones's, wherfor they look on yr Comission void; And there being severall actions of moment depending, they request the Lt. Gor to give new Comissions. The Lt. Gor desired the advice of the Councill therin.

It was the Unanimous Opinion of the Lt. Gor & Councill, that his Excellies Comission, both for the Quartr ss. & Comon pleas to ye sd Countie of kent, are in force, notwithstanding the sd Justices neglect.

Resolved, that an ordr be sent to the Justices of ye peace of the sd Countie of kent, from the Leivt Governor, to hold their Courts accordinglie.

Ordered that the provinciall Judges in their next Circuit, doe Inspect and Inquire into the disorders in the Countie of kent, in references to the times & places of holding their Courts, & to see what may be the most proper place in the sd Countie to hold their Courts in, for the most Universall ease of the sd Countie, and to make report to the Leivt Gor & Councill.

The necessitie of a provinciall Judge in the room of Jno Cann, Esqr. deced, was urged to the Lt. Gor., there being manie appealls depending to be tryed in 7br next, which if delayed to be tryed would give occasion of Complaint.

THe Leivt Governor named Anthonie Morris, esqr. a fitt person to discharge yt trust, which was agreed to by the Councill, & orders hee should take the oaths & test next sitting of the Councill, & yt a Comission be prepared for him.

4th Decembr, 1694.

Att a Councill Held att philadelphia the 4th day of december, 1694.

PRESENT:

WM. MARKHAM, Esqr., Livet. Governor.

Robt turner, pat. Robinson, } Esqrs. Lawr. Cock, Charles Sanders, } esqrs.

Upon reading the petion of Andree doze & others, setting forth that they having obtained two Judgts agt Samll peres, for 139l & 10l damages, wt cost of sute, & yt ye Lt. Gor Having putt a stop to the execuon till his Excellies pleasure should be further known, yrfor requesting ye Lt. Gor would decide the bussines according to his Excellies directions, to prevent their ruine,

It was ordered yt the sd Samll peres should give fresh securitie to the petitioners in 300b. to satisfie and pay ym all such sums of monie, costs, damages & charges as hee should be adjudged to pay, & to be Condemned in by the sentence of the Leivt Gor and Councill upon the sd appeall, who accordinglie became bound with Samll Holt, by obligaon bearing date 4th decembr, 1694, in ye sd sum of 300lb, & yt as full a Councill as could be gott be Sumoned for decyding ye sd matter.

25th December, 1694.

Att a Councill Held att philadelphia the 25th day of december, 1694.

PRESENT:

WM. MARKHAM, Esqr., Leivt. Governor.

Robt Turner, Lacey Cock, } Esqrs. pat. Robinson, Ch. Sanders, } Esqrs.

The Lt. Gor produced to the Councill an ordr to him from His Excellie the Chief Governor, requiring him upon receit yrof, that hee Cause Griffith Jones, Esqr. to be sworn one of the Councill of ye province of pennsilvania & Countrie of New castle, wch was accordinglie done: and the said Griffith Jones having taken oaths appointed by act of parliamt to be taken in stead of the oaths of allegiance & Supremacie, & Subt the test, took his place att the board accordinglie.

Samll peres appearing before the Lt Governor & Councill, did exhibit to ym a receit undr ye hand & seal of Andree doze, for himself & as attornie for Jeffrey Martin, Mathurin Sampson & peter Morreau, qrin hee released & discharged him, ye sd Samll peres, from all legacies left unto ym by peter debuc, & from all suits, Judgments or execuons by ym, or anie of ym, obtained agt him, and from all sums of money, debts, dues, Legacies, costs of suits, either in Law or equitie, or anie other demands whatsoever, from the beginning of ye world to the day of the date hereof, being ye 22d day of decembr. 1694, & Sealed & delivred in presence of david LLoyd & Jno Claypoole, & acknowledged upon the back yrof to be the act & deed of ye sd Andree doze, before pat Robinson, Secrie, And yrfor Requesting his bond of 300lb to be delivred up to him Cancelld: Which was accordinglie done.

THe Secrie exhibited to the Lt. Gor & Councill the Copie of the record of the provinciall Court held for & in kent Countie, the 9th, 10th & yth dayes of Octobr, befor Wm. Clark, Edward Blake & Richd Halliwell, esqrs., making mention yt an ordr from the Leivt Gor & Councill being read, for the provinciall Judges to inspect & Inquire into the disorders of the sd County of kent, in reference to ye time & places of holding their Courts, & to see what might be the most proper place in the sd Countie to hold their Countie Courts in for the most Universall ease of the sd Countie.

THeir Report (in ansr to the minute of Councell the 10th of augt., 1694,) was, That the matter being largelie debated by the Judges & Justices of the sd Court, the grand Jurie, & severall persons of the sd Countie being then present, It was Unanimouslie agreed upon that for the future the sd Countie Courts should be held & keept on some part of ye Land belonging to Wm. Southersby, situate on the south side of the Head of dover river, wch is next adjoining unto david Morgan's Land, And that the absolute decree & Sentence of the sd Judges was accordinglie, & that it be as near a Landing as may be, and there the same to Continoue.

PROVINCE OF PENNSILVANIA & COUNTRIE OF NEW-CASTLE, 10 APRILL, 1694.

Minutes of Councill in the Assemblie; Anno R. Ret. Ræ. Willielmi et Mariæ, Num Angliæ Sexto.

Att a Councill Held att Philadelphia on Tuesday the 10th day of Aprill, 1694.

PRESENT:

COLL. WM. MARKHAM, Esqr., Livet. Governor.
Andrew Robeson, Robt Turner, Wm. Salway, } Esqrs.
Wm. Clarke, George Forman, } Esqrs.
pat. Robinson, Secrie.

His Excellie Benj^{n} Fletcher, the Chief Governor's Lett^{r} to the Leiv^{t} Governo^{r} and Councill, bearing date the 26th of March Last was read, which is as followes, Viz:

"Gentl., I did resolve to meet you & the Assemblie the 10th of "Aprill next att philadelphia, and was to sett out from hence to "morrow Seven-night, but that by Later intelligence from Albanie, "I am advised of other messengers from Canada come to draw over "o^{r} Indians, as is pretended, to hold a Conference with Count Fron- "tiniac, concerning peace, Wherupon o^{r} Sachems are verie desirous "forthwith to see mee thither. The Councill being of opinion that "this Service is first to be attended, I think fitt to adjourn the "Assemblie of pennsilvania and Newcastle to the first of May next "ensuing, And require the Leiv^{t} Governo^{r} by these pnts, to adjourn "the sd Assemblie to the first of May next accordinglie. I shall en- "deavour to be with you then. I desire the Representatives of the "remoter Counties to be Imediatlie wrote unto not to give themselves "the trouble of Setting outt too soon; The rest may meet the tenth of "Aprill, be sworn or attested, and then adjourned. Gentl. I am your "verie Loving friend.

"BEN: FFLETCHER."

The persons returned for representatives, Viz: Foure for the Countie of philadelphia; Sam^{ll} Richardson, Sam^{ll} Carpenter, Henrie Waddey and James ffox. Three for the Countie of Chester; David LLoyd, Caleb pussey, & Sam^{ll} Lewis. Three for the Countie of Bucks; William Biles, phinhas pemberton, and Jonathan Scaife. Three for the Countie of Sussex; wherof appeared Thomas pemberton and Roger Corbett, came to wait on the Leiv^{t} Governo^{r} and wer admitted.

The Last two took the Oaths appointed by act of parliament to be taken in sted of the oaths of Allegiance and Supremacie, and subscribed the Test. The other ten did Subscribe the declaraon of fidelitie and profession of the Christian faith, and test.

After which the Leiv^{t} Governo^{r} desired them to goe together and Choose their Speaker. Some time after David LLoyd, accompanied by the above Named Representatives, presented himself to the Leiv^{t} Governo^{r}, acquainting him that the representatives there present had made Choice of him for their Speaker, that it was a trust much above his Capacitie, and for discharge wherof hee wast most Unfitt & unable, And therfore beseeched the Leiv^{t} Governo^{r} wold Comand the Representatives to return and Choose a more qualified person.

The Leiv^{t} Governo^{r} answered, that if they had Chosen anie one of their Number for their Speaker, Hee saw no reason to Object ag him; But you all know some are more capable to perform that dutie than others, and I cannot but well approve of yo^{r} Choice, and doubt not M^{r} Speaker, but you will perform yo^{r} dutie with all sinceritie, and keep a good decorum in the house, and that you'll urge and putt them in mind to a Consideraon & dispatch of what shall be before you of their Maties affairs and Service, and their duties therto.

Therafter M^{r} Speaker desired they might have the Ordinarie priviledges granted them, Such as free access to the person of the Leivt.

Governo^{r}, A favourable Construction putt upon their words, and freedom from arrests.

The Leiv^{t} Governo^{r} made ans^{r}, that hee granted them all these as freelie & amplie as had been usuall.

Then the Leiv^{t} Governo^{r} told M^{r} Speaker and the Representatives, That his Excellie the Chief Governo^{r}, did intend to have mett them here this day, but was prevented by an express from Albanie giving him Intelligence of other Messengers come from Canada to draw over their Indians, as is pretended, to hold a Conference with Count Frontiniac, concerning a peace, wherupon the Sachims were Verie desirous forthwith to See his Excellie att Albanie, and wold bring the messengers along w^{t} them thither, The Councill of New york being of opinion that this service was first to be attended. And therfore, his Excellie thought fitt to adjourn this assemblie to the first of May next, and required me to adjourn the same accordinglie. The Leiv^{t} Governo^{r} further added, That the affair his Excellie was gone about was of verie great import to this province, as well as to that of New york, and that our future saftie in our persons, estates & trade, did much depend upon the prosperous event of his Excellies going to Albanie, & therfore hoped they wold be well satisfied; that his Excellies absence att this time was Inevitable.

M^{r} Speaker desired, That they might have untill five of the afternoon, In regard the whether was bad & the wind ag^{t} the members of Newcastle, who, as they wer informed, wer coming up by water. Which was granted.

Att five the assemblie came again. Then M^{r} Speaker desired that they might have time till to-morrow morning to consider of some petitions Sent them by the Counties whom they did represent, who wold take it ill if in some measure they did not answer their expectations.

The Leiv^{t} Governo^{r} desired them to withdraw a Little and hee wold consider of it with the Councill; Wher it was resolved, That in respect the provinciall Judges wer to sitt next morning, that it was fitt the assemblie should meet the Leiv^{t} Governo^{r} to morrow, at three in the afternoon.

The Representatives having been called by the messenger, returned, and the Leiv^{t} Governo^{r} gave them time till to morrow, att three in the afternoon, & appointed them to meet him at that time.

[11th Aprill, 1694.

Att a Councill Held att philadelphia on wednesday the 11th day of Aprill, 1694.

PRESENT:

COLL. WILLIAM MARKHAM, Esq^{r}., Leiv^{t}. Governo^{r}.

Rob^{t} Turner,
Wm. Salway,
Wm. Clark, } Esq^{rs}.
George Forman, Esq^{r}.
pat. Robinson, Secrie.

The above named representatives appeared. M^{r} Speaker told the

Leivt Governor that they had considred of what yesterday hee had Laid befor ym, & that they had taken a Longer time than they expected to Consider of severall things, and particularlie the amending of severall errors and mistakes that had been comitted by the Last Assemblie, by reason of his Excellies hast to be gone Last year to the fronteers, and that hee promised them that if anie thing wer amiss, or error in Clarkshipp, it should be amended.

The Leivt Governor answered, that it wold not be Long befor his Excellie wold be here, and that then that wold properlie come undr consideraon.

Mr Speaker said, that the Law about Stealing was in the List of Laws proposed by the Assemblie in their petition of right, to be continoued, & yet was ommitted by their Clark to be engrossed in the roll of Laws signed by the Chief Governor, and yrfor requested that that Law might be added to the sd roll, especially since for want yrof, people might be exposed to a triall for their Life for every small & trifling theft.

The Leivt Governor answered, that the reason why that Law was not continoued was becaus his Excellie Lookt upon it to be repugnant to the Laws of England.

Mr Speaker said, that att the conference Last year held by some of the members of Councill & assemblie, they endeavoured to reconcile that Law to ye Law of England, & to show that it was not repugnant.

The Leivt. Governor told ym that hee had wrote to his Excellie about that Law to be continoued; and his excellie in his ansr, put the Judges & Justices in a way which wold effectuallie take off anie danger that the people might be in for want of the sd Law: And the Leivt Governor further added, that since they wer to be adjourned, He intended not to medle with Legislation; and if they wold have anie Law that might be beneficiall for the province, They might propose it to his Excellie when he came, & hee doubted not but his Excellie wold give ym full Satisfaction.

Mr Speaker said, that their Clark was drawing up something to present to the Leivt Governor & Councill, which hee desired them to consider off, and that it wold be quicklie readie.

The Leivt Governor told them that his Excellie was positive to him to adjourn ym.

Mr Speaker desired to see the Order, if it might be.

The Leivt. Governor answered that hee had such orders, and that they must take his word for that.

Mr Speaker desired that if they must be adjourned that it might be to a Longer day than the first day of May next, In respect the yearlie meeting att Salem was to begin the 27th of Aprill, and that the representatives wer desirous to be there, and other conveniencies to the members of the Lower Counties, which the Councill was not Unacquainted with, and therfor, that it might be to the 20th of May next.

The Leivt. Governor desired them to withdraw a Little and hee would advise with the Councill about it; which they did.

The Leiv^{t} Governo^{r} caused read his Excellies Letter the second time, and upon the whole, did putt it to the vote whether it was Convenient to adjourn the Assemblie to a further day than was mentioned in his Excellies Letter, and it was caried in the affirmative.

A member of Councill mentioned the tenth day of May; others desired that it might be Longer; And the 20^{t} of May falling on a Sunday, The Leiv^{t} Governo^{r} did put it to the vote whether to adjourn the Assemblie to the tenth or 22^{d} of May next, and it was caried to the twenty second.

The Representatives again appeared, and M^{r} Speaker presented to the Leiv^{t} Governo^{r} and Councill a Remonstrance in these words:

"To the Leiv^{t} Governo^{r} and Councill of the province of pennsil-"vania, Countrie of Newcastle, & the territories therto belonging. "The Remonstrance of the Representatives of the ffreemen of the sd "province & Countrie in Generall Assemblie mett, Humblie Sheweth: "That whereas, wee being att this time Conveened by Virtue of the "Leivt. Governo^{rs} writts, which gave us no other expectation but "that wee might proceed in Legislation & redressing the grievances "of the people whom wee represent; But since wee are given to un-"derstand that Governo^{r} ffletcher, by reason of some emergencie, is "prevented of being present at this Assemblie, and so it seems gave "ord^{r} to this effect, That as soon as wee wer put in a capacitie of "acting as an Assemblie, wee must be adjourned befor we can ac-"complish the Countries bussines, Which wee Conceive to be not "onlie inconsistent with the tenure of the sd writts, & the necessarie "priviledges of a Legislative Authoritie, but also, with the powers "granted our Leiv^{t} Governor by the king & Queen's Letters patents; "Therfore, wee desire you take it not amiss If wee so farr Assert "our priviledges as to adjourn our Selves, in Case you think not fitt "in the Chief Governor's absence to proceed according to the writts "aforesaid, in ord^{r} to make Laws, & to redress the agreivances of "the sd Countrie, Some of which are as follows:

"1st. That wee have not the Catalogue of the Laws, with the pre-"amble to them, and the Governor's approbaon of ym, which wer "declared by the petition of Right in the Assemblie Last year to be in "force, that Justice may be administred according to the sd Laws in "the Severall Courts of Justice in this province & Countrie.

"2^{d}. That the Late Law for appealls, which gives Libertie to ap-"peall both in Law & equitie, Wherby the Judges and Justices of y^{e} "peace have too great Libertie to destroy or make void the Verdicts "of Juries, without due care be taken; Wherfore, wee desire that the "Judges and Justices of y^{e} peace may receive instructions & Caution "from you not to decree anie thing in equitie that may make void the "Verdicts of Juries, or Judgments before given in Law, in the same "Cause.

"3^{d}. That the power given by the Late Law for raising money by "the Justices of the peace in their rexive Counties, may not be made "use of to the dissatisfaction of the Countrie, But that the Justices "may be Cautioned that what monie is raised to defray the publick "charge of the Countrie, may be done by the approbaon of the grand

" Jurie, or other Sufficient Inhabitants of the severall Counties, to as-
" sist in and approve the severall taxes to be raised, and to have the
" Hearing & examinaon of the accompts of the severall receits &
" disbursments.

" 4th. That the omissions in the Late Laws by the Clark appointed
" to transcribe ym, may be Corrected, and the Laws, or such parts
" of the Laws as are Left outt, may be entred in the roll of Laws.

" 5th. That the monie granted to be raised the Last Assemblie, for
" the support of this government, may be accordinglie Imployed to
" the use it was intended, & that an accompt therof be given att the
" next Sitting of Assembly, according to the true intent of the said
" act and makers therof.

" philadelphia, the 11th 2 mth, 1694. Signed by order of the house,
" by DA. LLOYD, Speaker."

Which having been read, The Leivt Governor desired Mr Speaker to take it again, & att the next sitting of Assemblie they might offerr that, or anie thing else, to his Excellencie's consideraon.

Mr Speaker answered, that hee had orders from their house to present that Remonstrance to the Leivt Governor, but had no orders from them to take it again.

Then the Leivt Governor said: Mr Speaker, The Councill having taken into their cansideraons the reasons for yor desire to be adjourned till the 20th of May, which will fall on a Sunday, They have advised and Consented that you should be adjourned to the 22d of May next; And accordinglie, I doe adjourn you to the sd day, Hopeing to meet again att that time as good friends as wee part. So, gentl., I wish you well to yor homes.

Mr Speaker. Wee thank the Leivt Governor; & departed.

[21st May, 1694.

Att a Councill Held att philadelphia on a Moonday, The 21st of May, 1694.

PRESENT:

His Excellencie BENJAMIN FLETCHER, &c.

Wm. Markham, Esqr., Leivt Governor.

Andrew Robeson, Robert Turner, patrick Robinson, Esqrs.

Wm. Clark, Lawrence Cock, Esqrs.

His Excellie did Signifie to the Councill that hee had Sumoned ym to Consider of what is propper to be offered to the Assembly for their Maties' service. It is the opinion of the Councill that no monie will be granted.

Adjourned till to-morrow morning.

[22^{d} May, 1694.

Att a Councill Held att philadelphia on a Tuesday the 22^{d} of May, 1694.

PRESENT:

His Excelly. BENJAMIN FLETCHER, &c.
WM. MARKHAM, Esq^{r}., Leivt. Governo^{r}.

Andrew Robeson, Robert Turner, pat Robinson, Esq^{rs}.
Wm. Salway, Wm. Clarke, Geo. forman. Esq^{rs}.

The rest of the Representatives that wer not attested, nor had taken the oaths & Test, Viz: Richard Hallywell, Henry William & Jn^{o} Donaldson, for the Countie of New castle, took the oaths appointed to be taken in Stead of y^{e} oaths of allegiance and Supremacie, and subscribed the test. John Brinckloe & Richard Wilson, for the Countie of kent, and Luke Watson, for the Countie of Sussex, did the same. Edward Blake & Wm. ffreeman, for Newcastle & kent Counties, did subscribe the declaraon of fidelitie & profession of the Christian faith, & Test.

Adjourned till to morrow morning.

23^{d} May, 1694.

Att a Councill Held att philadelphia on Wednesday the 23^{d} of May, 1694,

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.
WM. MARKHAM Esq^{r}., Leiv^{t} Governo^{r}.

Andrew Robeson, Robert Turner, Pat. Robinson, Esq^{rs}.
Lawrence Cock, William Clark, George Forman. Esq^{rs}.

His Excellie Ordered Secrie Robinson to Call the Speaker and Assembly. The Speaker and Assembly being present, His Excellie spoke to ym as follows:

" M^{r} Speaker, and you Gentl. the Representatives of this province,

" I had designed to have mett you here the tenth of the Last mo. " according to the writts which I directed to Issue for calling this as- " sembly, But their Maties service required my hastie repair to Albany. " upon Intimation that the five Indian nations (who have hitherto " been faithfull to the Crown of England,) wer now debauched to " the french interest, and entring into League with the Governo^{r} of " Canada.

" This Defection appeared to mee with so ill an aspect when I con- " sidred the Consequences of it, not onlie to New yorke, but to this " province & all the nighboring Colonies, that I thought myself " obliged to Lay all other bussines aside, & apply the outtmost of my " endeavours to prevent so great a mischief. I could willinglie have " spared my self this journie, if my dutie to their Maties & my affec- " tions to you, their subjects of this province, had not Compelled me " to it.

"I am therfore Come with a true & Unfeigned Zeal for your saftie "& prosperitie, to Lay this Matter before you; and in order to your "full satisfaction, I have brought with me the papers relating to the "Conference I had Latelie with these Indians, by which you may see "what they alledge. I must also assure you that yor Indians here "will be compelled to join in this fatall Confederacie.

"I have Latelie seen, with a heavie heart, fourescore fine farms "all deserted about Albany, after the great expence of the owners in "building & Improving, which has been occasioned rather by the "unkindness of our Nighbours, who refused us their assistance, than "by the force of the enemie. Could we have found men to secure "our advance posts, Conestiguna and the Half Moon, these farms "wold have flourished still. I pray God this Leprosie may spread no "farther; but I much doubt those who have shutt their eyes att a "distant danger, will find it come to their owne doors.

"I am bound, as well in Justice as gratitude, to acknowledge our "Nighbours of the Jerseys have done more in the Comon defence than "all the other adjacent provinces: they sent us foure Hundred pound "in Silver, Sixty odd proper men, well armed, who passed upon dutie "on the fronteers one year. They have now sent up thirtty men att "their owne Charge, and Considred of a way for their maintainance "during the warr.

"Gentl., I consider yo^r principles that you will not Carie arms "nor Levie Monie to make warr, though for your own defence, Yet I "hope you will not refuse to feed the Hungrie and Cloath the Naked. "My meaning is, to supply those Indian nations with such necessaries "as may influence them to a Continouance of their friendship to "those provinces. And now, Gentl., If you will consider wherin I "may be useful to you, according to the Tenor of my Comission, in "redressing yo^r greivances, (if anie you have,) you shall find me "readie to act by the rules of Loyaltie, with a true regard to Libertie "& propertie."

Majo^r John donaldson, Sam^ll Richardson, & Capt. Luke Watson, from the representatives, desired the Copie of his Excellie's Conference with the Indians of the five Nations att Albany, for the perusall of the House, which are ordered them accordingly.

Major donaldson, with foure others of the Assemblie, in behalf of the house, did give his Excellie thanks for his favorable speech, & desired they may have a Copie of it, which his Excellie ordered to be delivred so soon as Copyed.

Andrew Robeson, Rob^t Turner, Wm. Clark, & Wm. Salway, Esq^rs., are appointed a Committee of the Councill, to Inspect the execuon of the act of assemblie granting to their Maties the rate of One penny in the pound, to Calculate the amount yrof, how much paid, how much in arrears, the Nett value in Newyork monie, and in Sterling monie of England, and what may be the most proper methods to be used for gathering in the arrearages forthwith, and to make report to his Excellie in Councill to-morrow afternoon.

Adjourned till to-morrow morning.

[26th May, 1694.

Att a Councill Held att philadelphia the 26th of May, 1694.

PRESENT:

His Excelly BENJAMIN FLETCHER, &c.

Wm. Markham, Esq. Leiv^t Governo^r.

And^r Robeson,
Rob^t Turner,
pat. Robinson, Esq^{rs}.

Wm. Clark,
Geo. forman,
Lacy Cock, Esq^{rs}.

The Speaker and the whole house attended his Excellie.

The Speaker did address his Excellie, Saying, that the house had appointed a Committee to Consider of amendments in the Laws past, & desired to know of his Excellie if those Laws wer confirmed by their Maties, or disapproved.

His Excellie was pleased to Answer that hee had received no Letter from Court Concerning them, but understood from a private hand in England that manageth some bussines there for the province of Newyork, that the Laws of Newyork and his other government are befor the attornie generall, being referred to him for his perusall.

The Speaker did present some greivances, which his Excellie promised to take into Consideration, with the advice of the Councill, and to remove anie greivance that Lay in his power to doe; and for amendments of Laws, that hee should be glad they wold all study amendment in Laws & everie thing else.

His Excellie ordered the reading of the proceedings att Albany with the Indians, in the beginning of this Mo.; which was accordinglie done.

Adjourned till afternoon.

POST MERID.—AFTERNOON.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

Wm. Markham, Leiv^t Governo^r.

And^r Robeson,
Rob^t Turner, Esq^{rs}.

pat. Robinson,
William Clark, Esq^{rs}.

The house of Representatives, amongst other greivances, desired that the Clark of the markett in philadelphia may be removed from his office, for severall misdemeanors in the execution therof.

His Excellie in Councill taking into Consideraon that there is no particular charge ag^t the Clark of the Markett, It being his priviledge to hear & ans^r anie accusation which may be brought ag^t him befor the proper Judges,

It is resolved that it is not expedient to remove him from his office until hee be convicted of some misbehavcour to deserve it.

The Representatives having desired that the probates of wills may be done in each Countie, His Excellie in Councill did agree, that the wills be proved & administraons granted in the rexive Counties by such persons as shall be appointed for that purpose by the ordinarie.

The Representatives Having also desired that more ferries may be appointed over Skuillkill, His Excellie understanding that the appointment of ferries is the right of the proprietarie, In respect and Justice to the proprietarie, hath referred this matter to the proprietarie's Comissioners, who are desired to make their report therof.

As to the Complaint for seazing the boat & Imprisoning the boatman, It appearing to his Excellie to have been done by ord^r of the Leivt. Governo^r & Councill for their proceeding in the ferrie Contrarie to the proprietarie's appointment, & to his Excellies ord^r since; Which is also referred to y^e Comrs of his proprietie.

His Excellie appointed Leivt. Governo^r Markham, Andrew Robeson, pat. Robinson, Wm. Salway & George Forman, Esq^{rs}, a Comittee to join a Comittee of the Assemblie for the amending the errors of Clarkshipp & ommissions of the Laws Mentioned in the Last year's Assemblie their petion of right, to meet att eight of the Clock Moonday morning, att the old Councill room, which was accordinglie done.

The Comittee appointed by his Excellie the 23^d of May instant, to inspect the execuon of the act of Assemblie granting the pennie per pound, Reported to his Excellie in Councill, that having examined the severall rates of the rexive Counties, did find that in most of the Counties there have been great errors & partialitie Comitted by the assessors in Undervaluing their owne & others estates, wherby the whole amounts but to 760lb. 16s. 2d. monie of pennsilvania; In monie of Newyork to about 700lb; In English monie about 560lb; Which 60lb. may come short in the Sallaries for collecting the same & in Runawayes, So that the Nett produce may be about 500lb. English money.

The Rates of the Severall Counties, with what is paid to the Receiver generall, and what is in arrears.

	L	S	D		L	S	D		L	S	D
Countie of philadelphia,	314	11	11		242	0	0		72	11	11
Countie of Newcastle,	143	15	0		000	0	0		143	15	00
Countie of Sussex,	101	01	9		45	0	0	Ar^{rs}.	56	01	09
Countie of kent, Rated,	88	02	10	paid	61	8	4		26	14	06
Countie of Chester,	65	00	07		58	1	0		6	19	7
Countie of Bucks,	48	04	01		000	0	0		48	4	1
	760	16	2		406	9	4		354	6	10

And the said Comittee Likewise Humblie offerr to his Excellie in Councill, that warrants be forthwith Issued to the rexive Collectors of the severall Counties, requiring them that they speedilie send up the arrears, which was accordinglie order'd.

[29th May, 1694.

Att a Councill Held att philadelphia the 29th of May, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

Wm. Markham, Esq., Leivt Governor.

Andr Robeson, pat. Robinson, Wm. Clarke,	Esqrs.	Lawrence Cock, Geo. Forman,	Esqrs.

His Excellie proposed to the Councill that since the Assemblie were spending their time and doing nothing in Complyance to what he had offered to them, they be sent for, the Queen's Letter for assisting New york Laid befor them for consideraon, and that they be required to give a positive ansr; Which is approved of.

Mr Bleake, &c. from the House of representatives, came to ask if his Excellie wold pass two Laws which that house alledge to have been omitted by the Clark Last assemblie, which his Excellie took to consideration.

His Excellie desired the opinion of the Councill, If those two Laws concerning stealing and robberie should pass or not. Caried in the affirmative.

Ordered that Mr Robinson doe Carie back the two Laws to the house of Representatives, and acquaint them that his Excellie is readie to give them such sanction as the rest of the Laws contained in the roll had, And that his Excellie expects they have some regard to what hee had proposed to them, and Commands Mr Speaker and the whole house to attend him in Councill in the afternoon.

Adjourned to 3 a Clock in the afternoon.

POST MERID.

Three a Clock afternoon.

PRESENT:

His Excellie BENJn FLETCHER, &c.

Wm. Markham, Esqr., Leivt. Governor.

Andr Robeson, Robt Turner, Pat. Robinson,	Esqrs.	Wm. Clark, Wm. Salway, Geo. forman.	Esqrs.

His Excellie ordered Mr Jamison to desire the speaker & the whole house to attend his Excellie in Councill forthwith, which was done.

The Speaker and Representatives being present, His Excellencie said: "Mr Speaker & you gentl. of the Representatives of this province, "you may Remember that I did desire you to doe something which I "thought needfull for their Majesties service and your own preserva-"tion in a way agreeable to yor owne principles, which is to feed the

" Hungrie and Cloath the naked. The Indians of the five nations are " a Barrier and Defence to you & all the English Colonies on this " main; your saftie and interest is Concerned; they are poor and " naked, and in this time of warr have Lost the Libertie of hunting, " which is their onlie support. They are objects of yo^r^ charitie. I " judged it so reasonable a demand as could not admitt of delay. I " sent you the minuts of my Last Conference with them for yo^r^ satis- " facon, wherby you may see that although they are brought verie " Low and discouraged, yet not so farr gone as to be past retreive; I " know but two methods to be used with these heathen; they are to be " held by Love and fear. I have been plain with them, and given one " Hundred dayes to Consider of their answer from the time of my " Last Conference, then I intend to meet them with the sword in one " hand and presents in the other.

" Gentl. It were verie Convenient you did supplie mee with some " Considerable present of cloathing and food to be given in the name " of the province of pennsilvania & Countrie of Newcastle: you shall " have a particular accompt of the disposition therof. I doe think of " other methods to gett forces to appear with me, not to trouble or " molest anie of yo^r^ people; This I take to be the onlie way Left att " present to prevent the Indians falling off, and all the Calamities that " will attend it in this province, as well as the rest; you have not as " yet regarded it, for ought I can Learn.

" Gentl. You have the Queen's Letter Comanding assistance to New " york, which ought to have greater force than my arguments: I ex- " pected her Maties Comands would have so far prevailed. The origi- " nall was shown to the Last Assemblie, which I suppose may be " entred in yo^r^ books, or a Copie therof upon file with yo^r^ Clark. I " had no positive ans^r^ from them, & expect one from you.

" Gent. You are witnesses that I am readie to serve you, to doe anie " thing in my power you can think of for yo^r^ ease & Satisfaction. I sett " up for no arbitrarie Comand, have putt no stranger over you, treated " no man rudely, & am as readie to grant what is in my power to serve " you as you to ask. I have as great a regard to the interest of yo^r^ " proprietor as anie man in the government, and wold not goe about to " hurt it; But I find you slow in bussines, which makes mee think wee " shall have no sessions this time. Gentl. Some of you may Remem- " ber I proposed to the Last Assemblie to Consider of some fund for " the support of the government, which is verie needfull, but they did " not think fitt to Consider of it further than that they franklie & ge- " nerouslie gave a pennie in the pound to their Maties, and designed one " half therof as a mark of their respects to mee, for which I thank ym. " I doe Resolve you shall see how the other part of it is disposed & what " the whole amounts to befor I leave you; I have Issued Orders for the " speedie Collecting of it, and if there is nothing else for you to doe, I " will adjourn for some time untill it come in; Therfore, gentl. I shall " expect yo^r^ ans^r^ If you'll give anie thing to feed and Cloath our " Indians; Consider of it, and of what I have now said Gentl. you " may withdraw to yo^r^ House.

Adjourned till 30^th^ instant.

[30th May, 1694.

Att a Councill held at philadelphia the 30th of May, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

Wm. Markham, Esqr., Leivt Governor.

And^r Robeson, Robt Turner, pat. Robinson, Esqrs. Wm. Salway, Wm. Clark, Geo. forman, Esqrs.

His Excellie Ordered Wm. Clark, Esqr. to acquaint the assemblie that his Excellie expects their answer to what he had offered to them yesterday afternoon, & desired to know if ther was anie bussines to offerr; Who returned in answer that they had nothing to offerr this morning; that they wer upon the Consideraon of what the Governor spoke to ym yesterday, and believed they should have something to offerr this afternoon.

Adjourned to the afternoon.

[Post merid.

POST MERIDIEM.

PRESENT:

His. Excellie BENJAMIN FLETCHER, &c.

Wm. Markham, Esqr., Leivt Governor.

Robert Turner, pat. Robinson, Wm. Salway, Esqrs. Wm. Clarke, Geo. forman. Esqrs.

Ordered, the Secrie ask the assemblie if they have anie thing else to offerr to his Excellie & Councill this afternoon. The Secrie Returned that they had something to offerr presentlie.

Wm. Biles, &c., from the House of representatives, brought up two Bills and presented them to his Excellie; The one Concerning the regulaon of tobacco Cask, the other to stepp the transport of tobacco from Maryland to the Lower Counties, by Land or otherwise, not having first paid the dutie to their Maties.

The said two bills wer read the first time. Ordered a second reading of the bill to regulate the tobacco Cask.

Ordered, The Leivt Governor, Andrew Robeson and Wm. Clark, Esqrs. be a Comittee of the Councill to conferr with a Comittee of the Assemblie Concerning the bills for regulating the Cask for tobacco, and agt transporting of tobacco from Maryland, without the king's dutie being paid.

Ordered, Secrie Robinson to acquaint the House of this ordr, & desire them to appoint their Comittee, to meet the morrow morning.

Adjourned to the 31st of May instant.

[31st May, 1694.

Att a Councill Held att philadelphia the 31st day of May, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

Wm. Markham, Esqr, Leivt Governor.

Andr Robeson, pat. Robinson, Wm. Clark, Esqrs. Robt Turner, Geo. forman, Esqrs.

The Comittee for Considering the two bills Having Returned them with amendments, they wer ordered a third reading, and George Forman to Carie them down to the house.

The house of representatives sent up severall new bills & a regulation of fees.

Adjourned to the 1st of June, 1694.

[1st June, 1694.

Att a Councill Held att philadelphia the 1st of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

Andr Robeson, Robt Turner, Esqrs. pat. Robinson, Wm. Clark, Esqrs.

Ordered, the bill for Levying Countie rates be read the first time, which was done. Ordered a second reading.

Ordered, the Law concerning fees be read the first time.

Ordered, the reading of the bill for regulating weights & measures, which was done.

Ordered, the reading of the bill for Continouing three Laws, which was done.

His Excellie Ordered Wm. Clark & Geo. Forman, to acquaint the House of representatives that his Excellie did expect to hear from them something in ansr to the Queen's Letter, to know what they are a doing, and to desire them to dispatch this affair, and appoint a Comittee of their house to join a Comittee of the Councill this afternoon to Conferr upon some amendments of those bills sent yesterday.

The Leivt Governor, Andrew Robeson, Robert Turner, pat. Robinson & Wm. Clark, are appointed the Comittee to Conferr with a Comittee of the House of representatives accordinglie, this afternoon att three of the Clock, in the old Councill roome.

[2^d^ June, 1694.

Att an Assemblie Held att philadelphia the 2^d^ of June, 1694.

PRESENT:

His Excellie BENJ^n^ FLETCHER, &c.

WM. MARKHAM, Esq^r^., Leiv^t^ Governo^r^.

And^r^ Robeson, Rob^t^ Turner, pat. Robinson, Esq^rs^.
Wm. Clark, Geo. forman, Esq^rs^.

Wm. Clark, Esq^r^. returned the bills, with the amendments agreed upon to be presented by the Comittees of Councill and Assemblie and humblie Submitted, which wer ordered to be read.

His Excellie the Governo^r^ and Councill doe agree to the bill for regulating weights & measures, with these amendments; That the Governo^r^, with advice of the Councill, appoint the officers in philadelphia and Newcastle, and the forfeiture of five pounds therin to be to the king.

His Excellie the Governo^r^ and Councill, doe agree that the three old Laws ag^t^ usurie, Sale of Intestate's Land, and taking Lands in execuon for debts which did expyre by their owne Limitation, be formed into bills & enacted de Novo.

Ordered, George Forman, Esq^r^. doe require the Speaker and the whole House to attend his Excellie in Councill forthwith; who giving attendance,

His Excellie said: "M^r^ Speaker and you gentl. the representatives "of this province, there are some Laws which wer Comitted to a Co- "mittee of Councill and Assemblie yesterday afternoon. They are "returned this morning with some amendments agreed unto by the "Comittee. I am willing to agree to what I find the opinion of the "Comittee, Onlie there is one Law which verie much concerns you "& yo^r^ posteritie, which I cannot approve of. It is the Law for "raising monie to defray the Countie charges. I disapprove of the 'method which you propose, being repugnant to the Law of England. "You may bring a Slaverie upon yo^r^ posterity after you, which I "will not consent unto. I have the appointment of Justices of y^e^ "peace over you, but I declare I cannot answer for everie person that "is recommended to me for that trust. By the Law of England, if "understood right, no monie Can be raised to defray the Countie "Charge but by the consent of the grand Jurie, which represents "the people of the Countie as you doe the bodie of the whole pro- "vince. I am as willing yo^r^ debts be paid, and everie thing needfull "should take effect for yo^r^ ease and good as yo^r^ selves; but this I "take to be otherwise. I have no Interest in it. nor can have none. "M^r^ Speaker, you must needs know this to be repugnant to the Law "of England, therfore, wold have you Consider of it, & of a proper "method for paying yo^r^ Countie debts, & I shall agree thereunto.

Gentl., There is one thing more; I wold have you to Lett me know how manie bills you have before you. The time is short, therfor, pray dispatch them.

[4th June, 1694.

Att a Councill Held att philadelphia the 4th of June, 1694.

PSENT:

His Excellie BENJAMIN FLETCHER, &c.

Wm. Markham, Esqr., Leivt. Governor.

Andr Robeson,
Robert Turner, } Esqrs.

pat. Robinson,
Wm. Clark, } esqr.

His Excellie Ordered Secrie Robinson to ask of the Assemblie if they had anie thing to offerr this forenoon, Who returned in ansr that they wold have nothing to offerr till 4 a Clock in the afternoon.

Adjourned till 4 in the afternoon.

[5th June, 1694.

Att a Councill Held att philadelphia the 5th day of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

Andr Robeson,
pat. Robinson,
Wm. Salway, } Esqr.

William Clarke,
George Forman, } Esqr.

Edward Blake, from the Representatives, brought in a bill for regulating fees.

Adjourned to 6th instant.

[6th June, 1694.

Att a Councill Held att philadelphia the Sixt of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

Wm. Markham, Esqr., Leivt Governor.

Andr Robeson,
Robt Turner,
pat. Robinson, } Esqrs.

Wm. Clarke,
Lawr Cocke,
Geo. forman, } Esqrs.

The bills agt Usurie, taking Land in execuon, & sale of Intestates' estates, read a third time; that of Usurie to be amended, & the word (divided, &c.) taken away, & instead therof: (the one half to the use of the king, the other to the informer.)

The bills about weights and measures, regulating tobacco Cask, & tobacco transported by Land from Maryland, read a third time.

Adjor. to 7th instant.

[7th June, 1694.

Att a Councill Held at philadelphia the 7th day of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

Wm. Markham, Esqr., Leivt. Governor.

And r Robeson,
pat. Robinson,
Wm. Clarke,
Wm. Salway, Esqrs.

Robert turner
Lawr Cock,
Geo. forman, Esqrs.

His Excellie Ordered the reading of a bill giving one pennie in the pound, wherof 200lb. to Coll. Markham, 200lb to Mr Lloyd, and the remainder towards presents to the Indians.

His Excellie desired the opinion of the Councill Concerning the sd bill.

The Councill are of opinion that the sd bill Cannot pass, and that it is no answer to the Queen's Letter, nor does anie thing towards the support of the government.

His Excellie sent for the Speaker & the whole house, and then said:

"Mr Speaker, &c. You have mistaken the form of the bill. I
"can pass no bill to Leavie monie on their Maties Subjects for my-
"self, or for the use of anie other person whatsoever. Their Maties,
"or their particular service, must be first regarded in all Leavies,
"and if you design a favour for Coll. Markham or Mr LLoyd, your
"method is to raise a fund answerable to the Queen's Letter and their
"Maties expectations for the securitie of the fronteers and assistance
"of Newyork, and then to pray their Maties wold be pleased to allow
"outt of that sum what you intend for these gentl. I find you goe
"about to appoint yor owne Collector: as you cannot raise monie or
"give it to anie other but their Maties, So you Cannot appoint such
"an officer; Indeed it appears an Unmannerlie distrust of the person
"in that office alreadie Comissionated, and it Looks Like putting it
"outt of their Maties power (if you could) to disallow of yor act. I
"shall suspend my determination as to the other bill till you Con-
"sider better of this, and doe again putt you in mind of a possitive
"answer to their majesties Letter."

Adjourned till morrow morning.

[8th June, 1694.

Att a Councill Held att philadelphia the 8th of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

Wm. Markham, Esqr., Leivt Governor.

Andr Robeson,
Robt Turner,
Wm. Salway, Esqrs.

Wm. Clarke,
Geo. forman, Esqrs.

Mr Blake, &c. from the House of Representatives, presented an address, wherin they pray the passing of the Bill for the 400ll to Coll. Markham & Mr LLoyd, and alledge it warrantable; which was read.

The said gentl. giving his Excellie accompt that the house are Considering of an ansr to the Queen's Letter, to give them time to deliberate, His Excellie did adjourn till morrow morning.

Adjourned till 9th of June 1694.

[9th June, 1694.

Att a Councill Held att philadelphia the 9th day of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

Wm. Markham, Esqr. Leivt Governor.

Andr Robeson, Robt. Turner, pat. Robinson, Esqrs. Wm. Clarke, Geo. forman, Esqrs.

The memoriall of Andr Hamilton, esqr. given in to his Excellie & Councill, was read and recommended to the Consideraon of the Assembly, and was ordered to be caried to them by Wm. Clark, Esqr.

The House of Representatives having Considered the said paper, doe find no Cause att present to add to the Sallerie belonging to the post office as established by the law made here Last Assembly.

Mr Bleake, Major Donaldson, Samll Carpenter and Wm. Biles, brought up a Remonstrance in ansr to the Queen's Letter, which was read, viz:

"To Benjn ffletcher, Capt. Generall and Governor in Chief of this "province of pennsilvania and Countrie of Newcastle. The Remon-"strance of the freemen of the said province and Countrie in gene-"rall Assemblie mett, Humblie Sheweth: That having read thy "speech delivered us the 23d of the 3d mo., 1694, as also having "Considered the message sent us from thee and the Councill on the "first day of this Mo., with respect to the Queen's Letter, Wee find "upon perusall of the minuts of Assembly held here about 12 Mo. "agoe, that the rate, or tax, then granted to the king and Queen, was "in Complyance to the aforesaid Letter, so farr as the religious per-"suasion of the most part of that Assemblie could admitt, and "although the said tax amounted to seven hundred and sixtie pounds, "and the greatest part therof paid in by the Countrie to the rexive "Collectors, and (as it seems) in great readiness to be received by "the Treasurer, which wee looke upon to be a verie Considerable "demonstraon of our realitie and affection towards the king and "Queen, Considering the Circumstances and infancie of this place.

“and what our nighbouring provinces (who are of much more abilitie, but under no Less obligaon than wee are in that respect) have Contributed upon the Like occasion; Yet notwithstanding all wee have done, wee find that wee are not suteablie represented to the Indians in the Late treaties thou had with them att Albany; and not onlie soe, but wee perceive by thy speech that the five Indian nations (who till of Late have been faithfull to the Crown of England) are now drawen over to the french interest, and our Indians here Like to be Compelled to join in that fatall Confederacie, unles prevented through thy prudent management in returning the said five Nations to their former friendshipp with the English; for the accomplishment wherof, If what has been raised for support of governmt, (allowing a Competent Consideraon to the Leivt Gor for his Last year's service,) or in case anie thing that wee shall Contribute towards the Supplying of the Indians with necessaries for food and rayment, shall receive that Candor as to be accompted or assistance, In order to influence and gain them to a Continouance of their former amitie with these provinces, wee shall with all readiness acquiesce that a Suteable proportion of the monie raised, or intended to be raised & appropriated by us to that use, Shall be reputed and taken as a support to this governmt. Therfore, wee desire that wee may be accordinglie Represented to the Indians, & not rekoned among those that refuse to Comply either with the Queen's Letter or thy Just Comands, which otherwise may prove of ill consequence to us. Signed by ordr of the house, this 8th 4th Mo. 1694, p.

DAd LLOYD, Speaker.”

Adjourned till afternoon.

[Post merid.

POST MERIDIEM.

PRESENT:

His Excellie BENJAMIN FLETCHER.

WM. MARKHAM, Esqr., Leivt. Governor.

Andr Robeson, Robt Turner, pat. Robinson,	Esqrs.	Wm. Salway, Wm. Clarke, Geo. forman,	Esqrs.

It is the opinion of the Councill that his Excellie dissolve the Assemblie.

Ordered, Mr foreman call the whole house of representatives.

Mr Speaker and the whole house being present, his Excellie said:

“Mr Speaker, you have now satt nineteen dayes without the Least Consideraon of their Maties Service in the Securitie of the province; you have applied the first part of yor time in the searching for grievances, which will all appear to be the effects of yor owne weaknes in not redressing ym by the due course of the Laws, there not being one of the foure you took such pains to hunt for but must reflect upon yor proprietor or yorselves.

You have Laid some bills before me. First, you desire me to give Sanction to two bills ag^{t} Robbing and Stealing, which tho' (as you word ym) they are not Consonant to the Laws of England, yett att yo^{r} instance and request I doe allow of them, till their Maties pleasure be further knowen. And so for the rest, viz: 2^{d}, that for ragulating weights and measures. 3^{d}, That for Regulating Tobacco Cask. 4th, That ag^{t} Importing Tobacco by Land from Maryland. 5th, that for Limiting the Interest of money to eight per cent. 6th, That to make land and freehold liable to execuon for debt. 7th, That for Impowering the widow and exers. to sell Land for paym^{t} of debts.

These other bills I cannot pass. First, the bill for Countie Levies, which appears most unreasonable and Contrary to the Laws of England and the Comon practice in anie of their Maties dominions, for particular persons to Levie money upon the subject wtout their owne Consent. A grand Jurie att the Quarter sessions doe represent the Countie, and are Judges of the necessarie charges of the Countie, and may present such sums of money as are Convenient for the repairing highwayes, bridges, &c. and the Justices take care to order it accordinglie; But in this Bill the Justices and Representatives of each Countie are empowred wtout a grand Jurie, and ag^{t} their Consents, to Levie money att pleasure, under a pretence of paying old debts of twelve years standing. The Second is a Bill for Regulating fees. This power is by their Maties Letters patents invested in the Governo^{r} & Councill, & care shall be taken therof, as in the province of Newyork, to yo^{r} generall satisfaction.

The third is for a Sallarie for Assemblie men of Six shillings a day, I recomended to yo^{r} Care a support for the Leivt. Governo^{r}, the Judges & other officers who act by their Maties Comission in this province, To which you have allwayes Lent a deaf eare; And I find yo^{r} members of Assemblie have a way to gett their old allowance of three shills. a day by a bill for defraying Countie charges. This I think, is sufficient wages.

The fourth is the money Bill, Wherin you have no regard to what I proposed to you for their Maties service, In enabling mee to ans^{r} her Maties Letter for assistance to Newyork, tho' proposed in such a way as is agreeable to the most tender Consciences among you. You wold raise monie upon the subject & dispose of it at yo^{r} pleasure to the two Late deputies in such a manner as I cannot consent to, being Limited by my instructions. You wold also putt itt outt of their Maties power to approve or disallow of yo^{r} gift; you will not trust the Receiver generall appointed by authoritie of the Crown, but name one of yo^{r} owne, who shall not be accomptable for the sd sum, but to the two Late deputies: And you wold by this bill give a certain sum of 400lb. to those two gentl, who never acted by Imediate Comission from the Crown, and Leave the uncertain fragment for the support of governm^{t}, which, according to the measure of yo^{r} Late aplottment, will not amount to 100lb. s^{t}; I am apt to believe to nothing.

Now Gentl. finding no prospect of yo^{r} Inclinaons for their Maties service or your owne saftie, I think fitt to dissolve this present assemblie, and you are hereby dissolved.

The end of the Second Sessions of Councill and Assembly.

[5th Febry., 1694-5.

Att a Councill Held att philadelphia the 5th day of February, 1694-5.

PRESENT:

WM. MARKHAM, Esqr., Livet. Governor.

Robert Turner, pat. Robinson,	Esqrs.	Lawr Cock, Charles Sanders,	esqrs.

The Leivt. Governor showed the Councill an Ordr from his Excelly the Chief Governor, Requiring him that hee cause Jno Donaldson, Esqr. be sworn one of the Councill for the province of pennsilvania & Countrie of Newcastle; which was accordinglie done. And the said Jno Donaldson Having taken the oaths appointed by act of parliamt to be taken instead of the oathes of allegiance and Supremacie, & subscribed the test, took his place att the board accordingly.

26th March, 1695.

Att a Councill Held att philadelphia the 26th day of March, 1695.

WM. MARKHAM, Esqr. Leivt. Governor.

Robt Turner, pat. Robinson, Charles Sanders,	esqrs.	Griffith Jones, Jno donaldson,	esqrs.

The Leivt Governor said to this effect: Gentl. I am glad of this opportunitie to acquaint you that I Have Latelie received their Maties Letters' patents, by which they have been graciouslie pleased to restore the proprietor to the government of this province of pennsilvania & territories, and that the proprietor has been pleased to send mee a Comission to be Governor therof under him, both which Lye before you for yor perusall, and which I intend to Cause publish forthwith; But before I doe, or that I enter upon the government, or that you are dismist from being their Maties Councill, I judge it Requisitt to take those oaths that Governors are by Law obliged to take, before you, that you may be wittnesses therof; And I desire the secrie to administer the same unto mee.

Wherupon, the Secrie did administer to the sd Wm. Markham, the oaths appointed by act of parliament to be taken in sted of the oathes of allegiance & supremacie, also hee subscribed the test, as also the oathes appointed by the act of parliam^{t} made in the 12th year of the reign of Charles y^{e} 2^{d}, Entitled an act for the encouragement & Increasing of Shipping & navigation; & by the act of parliam^{t} made in the 15th year of his sd reign, Entitled an act for the encouragement of trade. All which oathes the sd Wm. Markham did Solemnlie take in psence of the sd Councill.

The Leiv^{t} Governo^{r} did also desire the Secrie to Record their said Maties Letters patents for Restoring the proprietor to his government, and the proprietor's Comission to him to be Governo^{r} under him, in this minuts of Councill book.

The Leiv^{t} Governo^{r} then said: Gentl. I thank you for the true allegiance and Loyaltie I have observed in you all to their Maties, o^{r} Soveraign Lord & Lady, Wm. & Mary, which you have showen by yo^{r} readiness and willingness to their Service upon all occasions. I also thank you for all yo^{r} kindnesses to mee whilest Leiv^{t} Governo^{r}, for all which you shall alwayes find mee readie to serve you wherin I may. Pray gentl, As it is all o^{r} duties, Soe let us hereby jointlie give o^{r} heartie thanks to his Excelly Governo^{r} fletcher, for his care of y^{e} province, and for his affections to the proprietor and us, Humblie beseeching His Excellie that hee will be pleased still to Continou y^{e} same, assuring him of our true, sincere and unfeigned respects and service to o^{r} outmost; To which all the Council Heartilie assented. Then the Leiv^{t} Governo^{r} said: Gentl. I desire you will attend the publishing of their Maties Letters patents, which will be the Last act you can doe as their Maties Councill under His Excellie Governor fletcher; Whereby you will yet the more express yo^{r} readie obedience to their Maties Commands. Soe bid you Heartilie farewell.

Here follow their Maties Letters patents.

Their Maties king William & Queen Mary's Letters patents restoring Wm. penn, Esq^{r}. proprietor of pennsilvania, to the governm^{t} of the said province:

William & Mary, by the Grace of God, king & Queen of England, Scotland, ffrance & Ireland, defend^{rs} of the faith, &c. Wheras, upon informaon that by reason of great miscarriages in the government of our province of pennsilvania in America, & the absence of the proprietor, the same was fallen into disorder & confusion, By means wherof not onlie the publick peace & administraon of Justice was broken & violated, But there was also great want of provision for the guard and defence of our sd province ag^{t} our enemies, wherby it was apprehended that our sd province & the adjacent Colonies, wer much in danger of being Lost from the Crown of England; for prevention therof, as much as in us Lay, & for the better defence & Securitie of o^{r} subjects Inhabiting those parts during this time of warr, Wee did find it absolutlie necessarie to take the government therof into our hands, and under our Immediat Care & protection; And did therupon, by Letters patents under our great Seal of England, bearing date the Twentie-first day of October, in the fourth yeare of our reign, Constitute and appoint our trustie & well beloved Benjamin Fletcher, esq^{r}. our Captain Generall and Governo^{r} in Chief of our province of Newyork, to be our Captain generall and Governor in Chief in and over our said province of pennsilvania & Countrie of New castle, and all the Territories and tracts of Land depending theron in America, with directions to take the said province and Countrie under his government: And did therby grant unto him, the sd Benjamin Fletcher, and in Case of his death or absence outt of o^{r} province of Newyork & pennsilvania, our Countrie of New castle and our Colonies of East and West New Jersey, unto such person as should be appointed by us to be Commander in Chief of our said province of Newyork, or to our Councill of our sd province, the Like powers and authorities as wer granted by our Comission to the said Benjamin Fletcher, bearing date the eighteenth day of March, in the said fourth year of our reign, for the ruling & governing of o^{r} sd province of New york: and wheras, Humble application Has been made unto us by our trusty and well beloved William penn, Esq. proprietor of or sd province of pennsilvania, that hee may be restored to the administration of the government therof as formerlie: And wheras, the said proprietor Has given us good assurance that hee will take care of the government of our said province & Territories, and provide for the saftie and securitie therof all that in him Lyes, Wee have therupon thought fitt to restore him to the administraon of the government of o^{r} sd province & Territories, and accordinglie, our will & pleasure is, that soe much of our said Comission bearing date the twentie-first day of October, in the fourth year of our reign, as doe constitute & appoint our trustie & well beloved Benjamin Fletcher, Esq^{r}., to be our Captain Generall and Governo^{r} in Chief of our said province of pennsilvania, Countrie of newcastle, & the territories & tracts of Land depending theron in America, together with all the powers and authorities therby granted for the ruling and governing of our sd province and Countrie, doe from the publicaon of these our Letters patents, cease, determin & become void, and accordinglie, the same are hereby declared void; of which all persons whom it may concern are to take notice & govern ymselves accordinglie, Under paine of our Highest displeasure. In wittnes wherof, wee Have caused these our letters to be made patents. Wittness ourSelves att Westminster, the twentieth day of August, in the Sixt year of our reign.

Indorsed a duplicate of the grant to William penn, Esq^{r}. PIGOTT.	By writt of privie Seal, with the great Seal appended, in yellow wax. PIGGOTT.

Wm. penn, propriatorie of pennsilvania, &c. His Commission To Wm. Markham, to be Governor under him of the sd province and Countries annexed.

Seal of the province. } William penn, proprietarie of the province of pennsilvania & Counties annexed, to his Trustie and beloved friend and kinsman, William Markham, Greeting:

Being as yet unable to goe myself, and having not time to make anie other settlements of publick affairs than that which followes, And reposing speciall Confidence in thy justice, prudence and integritie, I have hereby thought fitt to Nominate & appoint thee Governo^{r} of my said province, &c. under me, And I doe hereby declare and Constitute thee Governo^{r} of the same as aforesaid; Hereby also appointing & constituting for the more easie discharge of the trust reposed in thee, Two assistants, viz: John Goodson and Samuell Carpenter of philadelphia, in the province aforesd, strictlie charging and requiring thee in all things to govern according to the known Laws & usages therof, and with the advice and Consent of both, or one of them; And particularlie, that Care be taken to Suppress all vice and disorderlie walking, by reviving and zealouslie executing all those Laws that tend to Sobriety—Strictlie charging all persons concerned to give thee & assistants the respect due to yo^{r} respective stations in government; Hereby revocking all former Comissions granted by mee, And this Comission to Continou in force till farder order from mee. Given att Bristoll, this twentie-fourth day of the ninth month, one thousand Six Hundred ninty and four. WM. PENN.

Wm. penn's Commission to John Goodson & Sam^{ll} Carpenter, to be assistants.

William penn, proprietary of the province of pennsilvania, &c., to his trustie & Loving friends John Goodson and Samuell Carpenter: Wheras, I Have appointed and Constituted my Cousin William Markham, Governour under mee of my province of pennsilvania, &c., and taking into Consideration the state of the province, and his frequent indisposition, I have thought fitt, Reposing Speciall Confidence in yor Justice, prudence & Integritie, To appoint and Constitute you assistants to him in government, according as is expressed in his Commission, by your advice and Consent, or the advice and Consent of one of you, to transact and govern the affairs of the said province in my absence, according to the Laws & usages therof; Requiring all people to give you the respect that is due to you in that station and Capacitie. Given att Bristoll, this Twenty-fourth day of the ninth month, 1694. WM. PENN.

[PHILADELPHIA, 23^{d} Aprill, 1695.

Att a Councill Held att philadelphia Die Martis, 23^{d} Aprill, 1695.

PRESENT:

WM. MARKHAM, Esq^{r}., Go^{r}. under Wm. penn, &c.

Sam^{ll} Carpenter,	David Lloyd,	Jn^{o} Donaldsonn,
Sam^{ll} Richardson,	Caleb pussey,	Jn^{o} Williams,
Anthony Morris,	George Maris,	Rich^{d} Hallywell.

Upon reading the petion of Wm. Troutt, It was ordered that the triall of the Seizure of the briganteen yrin named, should be in the

Countie of Chester, upon the 18th of Aprill instant, and that a Comission be accordinglie granted, & a warrantt to the sheriff of that Countie to Summon a Jury.

Upon reading the petion of Jno Holme, It was ordered yt Samll Richardson, David Lloyd & Anthonie Morris, doe inspect the accots in the sd petion mentioned, and make report this afternoone.

Upon reading the petion of Samll peres, It was ordered That execuon & all further proceedings att ye Comon Law be stop't till ye cause yrin mentned be heard at next provinciall Court in equitie.

Upon reading the petion of Ralph Ward, Ordered yt Hee & the Sheriff complained agt, appear att this board to-morrow morning.

Upon reading the petion of Jno king, Ordered yt Elizt. Hooton, by her self or attornie, appear to-morrow morning att this board, To show cause (if anie they have) why a procedendo should not Issue, & yt ye Secrie give her a Copie of ye sd petion & of this order.

Upon reading the petion of Edmond Dutton, Ordered yt hee & Samll Atkins, Complained agt, appear to-morrow morning att this board.

Adjourned to 5 post meridiem.

POST MERID.

Five in the afternoone.

PRESENT:

WM. MARKHAM, Esqr., Governor, & others, as in the forenoone.

Samll Richardson, David Lloyd & Anthony Morris, Reported to this board, That by the inspection of ye accots mentned in Jno Holmes' petion, the estate of Nicholas & Marie More's, deceased, are Considerablie indebted to severall psons upwards of 370lb. And yrfore, the Gor & Councill ordered, That the sd Jno Holme might be permitted & allowed, & is hereby permitted & allowed to sell the plantaon of Green-spring, with all ye Lands & improvments therto belonging, & such parts of the mannor of moreland as decended to Samll More, deceased, or were Lotted outt for ye sd Samll & Rebecca Mores, deced, as may amount to what they dyed indebted to him, ye sd Jno Holme & others, and such other parts of the estate of ye sd Nicholas, Marie, Samll & Rebecca Mores, deced, as will onlie defray their just debts, & the educaon of the said Nicholas Mores' Surviving children, & the better Improvment of the remainder of the sd estate, according to Law. And further Ordered, that the members of Councill for the Countie of philadelphia, or anie two of ym, may supervise the sd sales that they be made for true & valuable Consideraons & not undersold.

Adjourned to 24th Aprill instant.

[24th Aprill, 1695.

Att a Councill Held att philadelphia Die Mercury, 24th Aprill, 1695.

PRESENT:

WM. MARKHAM, Esqr., Governor, undr Wm. penn, &c., et ysdem ut antea.

John More appeared on ye behalf of Eliz. Hooton & Jno king, by himself & Griffith Jones on his behalf, and upon reading ye sd Jno king's petion, & some debate yron by the attornies on both sides, The further debate yron was referred to the 18th day of May next.

Upon Reading the petion of Ralph Ward, Ordered yt ye sd Ralph paying ye two fines of ten shills. each, & the Laull charges, yt ye Sheriff return him ye goods taken upon execuon, If unsold.

Upon reading the petion of Edmond dutton, agt Samll Atkins, Samll having had notice to appear & ansr ye same but did not, Ordered yt both the execuons of both the sd Judgmts obtained by ye sd Samll Atkins agt the sd Edmond dutton, be stopt, & yt the whole matter be, and is hereby referred to the further Consideraon, explicaon & determinaon of ye next provinciall Court in equitie.

Upon reading the petion of Hugh Hall agt James Stanfield, By the consent of the said James, It was ordered yt Hugh Hall have an appeall granted him from the judgmt of the Countie Court to ye next provinciall Court in equitie, agt ye sd James, The sd Hugh Hall giving good securitie to prosecute the said appeall, & to pay all costs & damages that shall be awarded agt him.

Att a Councill Held att philadelphia Die Saturni, 25 May, 1695.

PRESENT:

WM. MARKHAM, Esqr., Governor, undr Wm. penn, & all the members of Councill.

Upon Reading the petion of Jno king agt Eliz. Hooton, & the two orders yron, ye 23d & 24th of Aprill Last past, Ordered yt ye further Hearing of the sd petion be befor all Comittee of all the repsentatives of Councill, & yt they make report yrof to the Gor. in Councill.

Upon Reading the petion of Robert Wade agt the Countie of Chester, for the grand Jurie of the sd Countie their taking away his propertie in Chester for a Landing, by virtue of ye 100d Law of the province, enacting that each Countie Court of this province & territories yrof, shall appoint & settle a sufficient Cart-way to the most convenient Landing place in their rexive Counties for publick use & benefit.

After a full debate, The Question was putt by the Governor, whether the sd Law could Justifie the sd grand Jurie's act? And it was Caried in the Negative.

Wherupon, it was ordered by the Governor and Councill, that the said Robert Wade, nor his assigns, be no further troubled, molested nor disquieted in the peaceable possession of his propertie.

Upon Reading the petion of Sam^ll Lewis, Ordered that the repsentatives in Councill for the Countie of Chester, examine & hear the whole matter, & that they Have yrby power to call before ym all persons concerned in the sd Complaint, both pties & wittnesses, & make report therof to the Governo^r and Councill.

Upon reading the petion of Tenniss Lins, Ordered that the Sheriff of the Countie of Chester give the petion^r an order for the goods hee took in execuon of Israell Taylor's, & that hee have his remeadie att Law for the remainder of his debt, & damages.

Upon Reading the petion of Thomas Herris, It was the opinion of the Go^r & Councill that the matt^r is not cognizable befor ym, seeing hee might have had an appeall to the County Court in equity.

Upon reading the petion of Jn^o Hugg ag^t Benj^n Chambers, Referred to Law.

Upon reading the petions of Henrie peirce & Wm. Howell, Referred to Com^rs of proptie.

Upon reading the petion of Chester Countie for a ferrie att the rock; And of the welsh for a ferrie att Wm. powell's; And of some of the Inhabitants of philadelphia about Securing their gun-powd^r, & providing of Ladders & Leather bucketts; and of another ag^t disorders in sd towne; and of another about Tann'd Leather; These 5 petions wer referred to the Committee for preparing of Bills to be past into Laws.

Upon Reading the petion of Griffeth Owen ag^t Wm. Hawkes & Jn^o More, for detaining from him a patent delivered them to make some writtings by, Ordered that sd Hawkes attend y^e Governor & Councill the 28^th instant.

[28^th May, 1695.

Att a Councill Held att philadelphia Die Martis, 28^th May, 1695.

PRESENT:

WM. MARKHAM, Esq^r., Go^r under Wm. penn, &c., & all the members except Jos. Growdon.

Upon Reading the petion of Griff. Owen, Appeared Wm. Hawkes, & upon Hearing, It was Ordered y^t sd Hawkes give the pa's to David Lloyd to be recorded, & there to remain till the severall grants be made to the pties y^rin concerned, & till the sd parties agree in whois hands it shall be Lodged.

Upon Reading the petion of Comfort Scott ag^t Wm. Clark, & his ans^r therto, Itt was referred to the Comrs. of propertie.

[30th May, 1695.

Att a Councill Held att philadelphia Die Jovis, 30th May, 1695.

PRESENT:

WM. MARKHAM Esqr., Gor undr Wm. Penn, &c., & all the members except as above.

Upon reading the petion of Joseph Wood agt Wm. Shardlow & his attornie, Charles Sanders, The matter was Left to the Course of the Comon Law, & it was recommended to the Justices of the Countie Court to inspect the matter.

Upon reading the petion of Thomas Herris relating to his former, It was the opinion of the Gor & Councill yt was not Cognizable before them.

Upon Reading the petion of Jno king agt Eliz. Hooton, Ordered that a writt Issue from the Gor to the provinciall Judges, to try the appeall depending between Eliz. Hooton & Jno king, & forthwith to proceed to Judgmt therupon.

Upon Reading the petion of Samll Atkins agt Samll preston, Late Sheriff of the Countie of Sussex, The petitionr is Left to his Course att Law.

[15th June, 1695.

Att a Councill Held att philadelphia Die Saturni, 15th June, 1695.

PRESENT:

WM. MARKHAM, Esqr., Governor undr Wm. penn, &c.

Samll Carpenter,	David Lloyd,	William Clark,
Anthony Morris,	Richd Hallywell,	phin. pemberton.
Joseph Growden,	Griffith Jones,	

The Gor Having acquainted the Councill of some reports hee had heard of the designs of or enemies the French, agt these parts, & yt they had a Squadron of Shipps att sea bound for ye plantaons, to attack ym, & yt some of the members of this board had proposed to him that a watch on Cape Inlopen to be keept, might be of Service, to give notice if anie suspicious vessells should appeare wtin sight of sd Cape,

The Gor putt it to the Question, whether a watch there wold not be necessarie, convenient, & of service to the publick. It was caried in the affirmative, nemine Contradicente; And for defraying the publick charge yrof, It was Resolved yt the Gor & repsentatives in Council wold effectuallie Recomend the same to the next assemblie, and that in the meantime, the Gor should Issue an ordr to the Justices of the peace for the Countie of Sussex, that they Cause the sd Watch to be keept on the sd Cape by two men to the first day of Octobr next ensuing, from five in the morning to Seven of the Clock att night: which was accordinglie done, & delivred to Wm. Clarke.

[18th June, 1695.

Att a Councill Held att philadelphia Die Martis, 18th June, 1695.

PRESENT:

WM. MARKHAM, Esqr., Gor under Wm. penn, &c.
Samll Carpenter, David Lloyd, Richd Hallywell,
Samll Richardson, John Donaldson, William Clark.

Upon reading the petion of Harman Lawrier, Setting forth that there are 4 children belonging to his Sister in the sd Countie of Newcastle, whom hee requests that hee may be permitted to take ym to Newyork, & engages to take such Care of yr education as becomes their qualitie & his relation to ym, It was the opinion of the Gor & Councill yt ye sd Harman take the children yrin named into his Care & custodie, & after hee has made such satisfacon to the pties yt have keept ym as is reasonable, & given securitie to the Justices of yr Court for Indemnifying the said Countie agt the sd children, Hee may transport ym outt of this governmt to Newyork.

[29th June, 1695.

Att a Councill Held att philadelphia Die Veneris, 29th June, 1695.

PRESENT:

WM. MARKHAM, Esqr., Gor under Wm. penn, &c.
David Lloyd, Richd Hallywell, Wm. Clarke,
Jno donaldson, Griffith Jones, Tho. pemberton.

The Gor Spake to this effect: "Gentl, Seeing it will require a Long "time to gett a full Councill, by reason of the remoteness of manie "of ye members, I Let you know That having Latelie received "another Lre from His Excelly Governor Fletcher, I thought it "necessarie to call a Councill as soon as I could; I hop't indeed to "have had a Larger number present than I find come." However, his Excelly Governor Fletcher's Lre being read, wherin hee applied himself to Gor Markham that a Quota of Eighty men, with their proper officers, viz: One Captain, Two Leivts., Three Sergeants, Three Corporalls & two drummers, or the value of the charges for maintaining the same, be provided & sent to Newyork by the first of August next, in obedience to the Comand of her Late Matie & for his Maties Service, in order to the Generall defence of this part of his Maties empyre.

After the reading wherof, The Gor said: "Gentl. When his Excellie Governor Fletcher, by his Lre to mee of the 15th of Aprill Last "past, made his first demand of ye sd Quota of men, or the value of "the charges for maintaining the same, Requiring that they should "be provided & sent to New york by the first of May Last past, "You know the ansr you gave to it, viz: That you wer not in a "capacitie to give a full & Satisfactorie ansr to soe weightie a matter "wtout a generall Assemblie, And that most of the members Living

“ soe remote from this place, & harvest drawing on so near that they
“ could not meet till about the 9th of 7ber next, & yrfore, you yn
“ advised mee to Comand the Assemblie to meet the sd day to advise
“ & Consult yrupon.

“ Gentl., You know that I thought that time too long, & yrfore yn
“ desired you to Consider further before you resolved; yet you then
“ replied that you had deliberatlie Considred of it, & that it wold be
“ to the ruine of manie families to be from home in harvest. There-
“ fore, I now desire you seriouslie to Consider what ansr I shall give
“ His Excellie Gor Fletcher, to his 2d demand.

“ Gentl., I'm here in the roome of or proprietor, & since hee has
“ not restricted nor Limited mee, the blame shall not Lye att his
“ doore. If you will doe anie thing that may effectuallie ansr her
“ Late Maties Royall will & pleasure, and his Excellie Governor
“ Fletcher's demands formed yrupon, I'le give such sanction to it as
“ becomes mee to doe; and tho' the proprietor has given their Maties
“ good assurance that hee will take care of the governmt & provide
“ for the saftie & securitie therof all that in him Lyes, And is by her
“ Late Maties Royall Lre Comanded to give directions that due pro-
“ vision be forthwith made att the publick charge of ye province, for
“ the furnishing the said assistance, as the same shall be soe demanded
“ from time to time by his Excellie the Governor of Newyork, yet
“ the proprietor if he were here, himself, nor I that represent him,
“ Cannot raise monie wtout you & an Assemblie, who are the people's
“ repsentatives; And if you will doe anie thing, I am ready in the
“ proprietaries behalf to give it Sanction. And yrfore, I desire your
“ advice whether to shorten the time of the Assemblies meetting from
“ the 9th of 7br. to a neerer day, will be of any service.”

It was the unanimous opinion of all the members present, that it wold be of no service to call ym sooner. The Governor Having askt the reason of their opinion, one of the members ansred, Becaus by the great mortalitie of the Cattle & stock of the Inhabitants Last year, the people have been, & still are undr great straits for Corn & provisions, and the substance of the province & Territories Consisting all together in stock, provisions & Corne, If the inhabitants should be called off from getting in their Harvest & Cropts to attend the assemblie, whoise number wt the Councill are 54 persons, It wold tend to their utter ruine. And tho' a Law were alreadie past for raising monie to defray the charge of the assistance demanded, It could be no sooner collected then it wold be if not made till the 9th of 7ber. next, Becaus the paymts must be made outt of the Cropt yt is now upon the ground, & upon which the sole dependence of the province for their support relies, & the proper time of paymt therof is in the winter. To which the rest of the members Unanimouslie assented.

[8th August, 1695.

Att a Councill Held att philadelphia Die Jovis, 8th August, 1695.

PRESENT:

WM. MARKHAM Esqr. Gor under Wm. Penn.

Samll Carpenter,	William Biles,	John Williams,
Samll Richardson,	David Lloyd,	Richd Hallywell,
Anthony Morris,	Caleb pussey,	John Brinkloe,
phinehas pemberton,	George Marris,	Griffith Jones.

The Gor himself read to the Councill some part of a Lre directed to him from Gor Fletcher, wherin hee told him Hee should not be wanting in calling for the supplies, ordered him outt of this province by the Royall Comand, And then ordered the Secrie to Issue writts to the sheriff of each of the Six rexive Counties, to warn the repsentatives of Councill & assemblie to meet at philad the 9th of 7ber. next, as was agreed Last provinciall Councill; & yt in case of the death of anie of ye Repsentatives, giving power to the rexive sheriffs to elect others in their rooms, according to Law.

PROVINCE OF PENNSILVANIA & COUNTIES ANNEXT.

[20th Aprill, 1695.

Minutes of Councill in the Assemblie Anno R. R. et Ræ, Williełmi et Mariæ, &c. Nunc Angliæ, &c. Septimo.

Att a Councill Held att philadelphia die Saturni, 20th Aprill, 1695.

PRESENT:

WILLIAM MARKHAM, Esqr, Governor under Wm. penn, &c.

The Sheriff of the Countie of philadelphia, his Return of Representatives in Councill was read, & there wer elected Samll Carpenter for 3 years, Samll Richardson for 2 years, & Anthony Morris for one yeare. As also the Sheriff of the Countie of Chester, his return of repsentatives in Councill was read, & there were elected David Lloyd for 3 years, Caleb pussey for 2 years, & George Marris for one year.

Adjourned to 22d instant.

[22d Aprill, 1695.

Att a Councill Held att philad. Die Lunæ, 22d Aprill, 1695.

PRESENT:

WM. MARKHAM, Esqr., Governor under Wm. penn, &c.

The Sheriff of the Countie of Newcastle, his return of repsentatives in Councill was read, & there were elected Jnº donaldson for 3 years, Jnº Williams neering for 2 years, & Richard Halliwell for one year, all which six members appearing in Councill, their elections wer approved of.

The Sheriff of the Countie of Bucks, his return of repsentatives in Councill being read was rejected, becaus it did not mention the day of their election, nor the rexive years for which the members were to serve.

The Sheriffs of the Counties of kent & Sussex their Return of repsentatives in Councill being Read was rejected, becaus they made not their election till the 13th instant.

The Repsentatives of the Countie of Newcastle took the oathes appointed by act of parliamt to be taken instead of the oathes of allegiance & supremacie, & subt the test, & promise of secresie, & took their places att the Councill board.

The Repsentatives for the Countie of philad. & Chester did subscribe the declaraon of fidelitie, profession of the Christian faith, test & promise aforesd, & took yr places as above.

Adjourned to 23d instant.

[23d Aprill, 1695.

Att a Councill Held att philad. Die Martis, 23d Aprill, 1695.

PRESENT:

WM. MARKHAM, Gor under Wm. penn, &c.

Samll Carpenter,	David Lloyd,	Jnº Donaldson,
Samll Richardson,	Caleb pussey,	Jnº Williams,
Anthony Morris,	George Marris,	Richd Halliwell.

The Governor desired pat. Robinson, Secrie., to read yr Maties Lres patents under the Great Seal of England, restoring the proprietarie to his governmt; & the proprietaries Comission to Wm. Markham, to be Governor undr him, & his Comission to Jnº goodson & Samll Carpenter, to be his assistants, all which hee accordinglie read, & they stand recorded in the other end of this book.

Adjourned to 24th instant.

[24th Aprill, 1695.

Att a Councill Held att philad. Die Mercury, 24th Aprill, 1695.

PRESENT:

WM. MARKHAM, Gor under Wm. penn, &c., et ysdem sicut antæ.

In respect of the Illegalitie of the Returns of Repsentatives for the Counties of Bucks, kent & Sussex, Ordered that new writts be issued for their election of repsentatives upon ye 8th of May next, & to meet in Councill the 18th of sd mo., which was accordinglie done.

Adjourned to 18th May, 1695.

[18th May, 1695.

Att a Councill Held att philad. Die Saturni, 18th May, 1695.

PRESENT:

WM. MARKHAM, Governor under Wm. penn, &c.

Samll Richardson,
Anthony Morris,
David LLoyd,
Caleb pussey,
George Marris,
Jno Donaldson.

The Sheriff of the Countie of Bucks, His Return of Representatives in Councill was read, & there were elected Joseph Growdon for 3 years, phinehas pemberton for 2, & Wm. Biles for one yeare: The Sheriff of the Countie of kent, his Return of Repsentatives in Councill was read, & there were elected John Brinkloe for 3 years, Richard Willson for 2, & Griffith Jones for one yeare.

The sd Jno Brinkloe & Richd Willson took the oathes aforesd & subt the test & promise of secresie. The sd Griffith Jones subt the declaraon of fidelitie, profession of the Christian faith, the test & promise of secresie, & took yr places att the board.

[20th May, 1695.

Att a Councill Held at philad. Die Lune, 20th May, 1695.

PRESENT:

WM. MARKHAM, Governor undr Wm. penn.

David LLoyd,
Caleb pussey,
George Marris,
Jno Donaldson,
Jno Williams,
Richd Hallywell,
Jno Brinkloe,
Griff. Jones

The Sheriff of the Countie of Sussex, His return of Representatives was read, and there were elected Wm. Clark for 3 years, Thomas pemberton for 2 years, & Robert Clifton for one year.

The sd Wm. Clark, phinehas pemberton & Wm. Biles, did subscribe the declaration, &c. profession, &c. test & Secresie, & took their places att the board. The said Thomas pemberton & Robt Clifton took the Oathes, test & promise of secresie, & took their places as above, & so wer psent:

phinehas pemberton,
William Biles,
David Lloyd,
Caleb pussey,
George Marris,
Samll Richardson,
Anthony Morris,
Jno Donaldson,
Jno Williams,
Richd Hallywell,
Jno Brinkloe,
Griffith Jones,
Richard Willson,
Wm. Clarke,
Tho. pemberton,
Robt Clifton.

After the reading of yr Maties Lres patents for restoring the proprietarie to his governmt, & the proprietaries Comission to Wm. Markham to be Governor under him, & to Jno Goodson & Samll Carpenter to be his assistants, by the Secrie, The Governor said:

"Gentl., You are Convened by virtue of a power derived unto mee "from Mr penn, Our absolute proprietarie & Chief Governor, under "whois governmt you Lived happilie for manie years. Their Maties, "our Soveraign Lord and Ladie Wm. & Marie, wer pleased upon "some apprehensions that this province was in danger of being Lost "from the Crowne of England, to take us undr their more Imediate "care & protection, During which time I was yor Leivt. Governor, & "I must say that I have observed in you (I mean both you & those "you repsent) a dutiefull affection to their present Maties, in a readie "Compliance with all yr Comands, after such mannr as yor tender "Consciences could permitt. Most of you were either of the Coun"cill or of the Assemblie first called by his Excellie Governor Fletch"er, and when the Queen's Lre for the assisting the province of New "york to defend yr fronteers was read, I rejoiced to see yor readiness "to Comply, and tho' the principles of most of you were agt giving "any thing to Maintain warr, yet you Dutiefullie & prudentlie, & "without example from yor nighbours, raised money under the title "FOR THE SUPPORT OF GOVERNMENT, but to be disposed "of as his Excellie Governor Fletcher should think fitt, Which monie "was by his sd Excellies order transmitted to New york, & no doubt "well imployed in the service of the Crown. And now Gentl., Their "Maties Have been graciouslie pleased to restore our proprietarie to "His governmt, a gentl, I'm sensible, has allwayes been verie affec"tionate to us, & I hope none of us (I am Confident there is not one "here) will be wanting in gratitude towards him, nor in due respect "to & Love for him; Let us yrfore, Like dutifull, Obedient & grate"ful subjects, entreat or proprietarie to return their Maties or most "Humble & Heartie thanks for this yr great & gracious favor, & to "assure ym yt wee shall ever Continou to be yr most Loyall & obe"dient subjects."

To which the whole members of Councill Heartilie assented.

Adjourned to 22d May instant.

[22d May, 1695.

Att a Councill Held att philadelphia Die Mercury, 22d May, 1695

PRESENT:

WM. MARKHAM Esqr, Governor undr Wm. penn, &c., et ysdem Sicut antea.

The Governor Ordered the whole Representatives to resolve into a grand Comittee to Inspect & revise the Laws of ye province, In order to repeal those that were not fitt to be Continoued, & to prepare Bills for such Laws yt are necessarie & wanting.

Resolved, yt ye 5th instant be & is appointed for the Hearing of petions and Complaints.

Adjourned to 25th instant.

[25th May, 1695.

Att a Councill Held att philadelphia Die Saturni, 25th May, 1695.

PRESENT:

WM. MARKHAM, Governor, undr Wm. penn, &c., and all the repsentatives in, No. 18.

Joseph Growdon, Hitherto absent, subt. the declaraon, Test & promise of Secrisie, & took his place att the board. And soe wer present ye Governor & a full Councill, viz:

Samll Carpenter,
Samll Richardson,
Anthony Morris,
Joseph Growdon,
phinehas pemberton,
Wm. Biles,
David Lloyd,
Caleb pussey,
George Marris,
Jno Donaldson,
Jno Williams,
Richd Hallywell,
John Brinkloe,
Richd Willson,
Griffith Jones,
Wm. Clark,
Thomas pemberton,
Robert Clifton,
Pat. Robinson, Secry.

The Grand Comittee of ye whole Repsentatives, to whom the inspecting & revising of the Laws of ye province was Comitted, presented to the Governor a Bill Relating to the new modelling the government, which was read once.

Adjourned to ye 27th instant.

[27th May, 1695.

Att a Councill Held att Philadelphia die Lunæ, 27th May, 1695.

PRESENT:

WM. MARKHAM, Esqr. Governor under Wm. penn, &c., & all the members except Jos. Growden & Jno Williams.

The said Bill was again begun to be read & debated, but it Could not be agreed upon.

Adjourned to 28th instant.

[28th May, 1695.

Att a Councill Held att philadelphia die Martis, 28th May, 1695.

PRESENT:

WM. MARKHAM, Governor under Wm. penn, &c., & all ye members except Jos. Growden.

The said bill being Laid aside, becaus it could not be agreed upon, A Comittee of one member for each County, viz: Samll Carpenter, Wm. Biles, David Lloyd, Richd Hallywell, Jno Brinkloe, & Wm. Clark, were appointed to Consider of a new frame & modell of governmt, & to make report to the Governor & Councill this afternoon.

POST MERIDIEM, Præsentibus ut antea.

The Committee to whom the Consideraon of a new forme & modell of governmt was Comitted, Reported: That they had made some attempts, but Could not agree upon a new frame; And yrfor, the Governor appointed the same Comittee to meet wt himself to-morrow morning, about the same, And to make report.

Adjourned to 29th instant.

[29th May, 1695.

Att a Councill Held att philadelphia Die Mercury, 29th May, 1695.

PRESENT:

WM. MARKHAM, Esqr. Governor undr Wm. penn, &c., & all the Representatives ut antea.

The Governor & Comittee to whom ye Consideraon of a new form & modell of governmt was comitted, Reported: That nothing could be agreed upon in ordr to a new modell of governmt notwtstanding all ye pains & time spent about ye same.

Then the Governor said: "Gentl. By the writts issued by me for "Calling you together, you may see it was to choose repsentatives "to forme a provinciall Councill, to advise wt mee in matters relating "to ye governmt; Accordinglie the elections wer made, & you that "were chosen have appeared & pformed all the Ceremonies Usuall "by any former provinciall Council. Gentl. you have taken up much "time in endeavouring to Lay aside the Charter granted you by the "proprietarie, which you then thankfullie accepted of, & to propose "& make a more easie frame than formerlie by ye sd Charter & act "of settlement you had, but ye difficulties yt attended yor new bill & "frame were so great that they Could not be gott over. Since yrfor "the end of my Calling and of yor Coming together was to advise "wt mee in matters Relating to ye governmt,

I Lett you know That the Queen's most excellent Matie Hath, upon the 21st of Augt, 1694, signified to or sd proprietor & in his absence to the Comandr in Chief of ye sd province of pennsilvania for ye time being, That a Quota not exceeding eighty men, with their officers, or the value of the chairges of maintaining ye same, be the measure of the assistance to be given by ye sd province of pennsilvania & Countrie of Newcastle for ye defence & securitie of the province of New-york, Thereby Requiring & Comanding or sd proprietor att all times, upon application of the Governor & Commander in Chief of the province of newyork, to send ye same for the defence & Securitie yrof; And yt the said proprietor give directions that due provision be forthwith made, att the publick charge of the sd province of pennsilvania & Countrie of Newcastle, for the furnishing such assistance as the same shall be soe demanded from time to time, by the sd Governor or Comandr in Chief of the sd province of Newyorke.

The Serious & due Consideraon of which Letter I Recommend unto you, & according to your dutie, doe require your advice & assistance in the prosecuting this weightie affair, upon which yo^r owne & yo^r nighbours securitie and preservaon soe much depends.

I also Let you know, That His Excellie Benj^n Fletcher, by his Letter of y^e 15th Aprill, writts me that hee is necessitated for y^r Maties Service & the securitie of y^e fronteers, to demand from us eightie men & y^r officers, with armes, amunition, & pay for one yeare. The officers y^t will be requisite are One Captain, Two Leivtenants, foure sergeants, foure Corporalls & two drumers; & y^t y^r Maties have Comanded us to furnish him with this assistance from pennsilvania & newcastle, & y^t y^e frontiers are soe circumstantiated att psent, that there being att Albanie on the first of May next ensuing, or as soon as possible may be, is thereby required. Both which Lres having been read, The Governor added: Gentl, you are the Repsentatives of the people, yrfor I again desire yo^r advice here. The Repsentatives Having desired some time to Consider therof, the Governo^r did Resolve the whole Repsentatives into a grand Committee, to Consider of an effectuall answer both to her Majesties Letter and Governo^r Fletchers, and delivred to Wm. Clark, one of their number, both the sd originall Letters for their perusall, & to make report to-morrow.

Adjourned to 30th instant.

[30th May, 1695.

Att a Councill Held att philadelphia die Jovis, 30th May, 1695.

PRESENT:

WM. MARKHAM, Esq^r, Governo^r under Wm. penn, &c., & all y^e members except Joseph Growdon.

Wm. Clark Reported from the Committee of the whole Representatives, to whom the Consideraon of her Maties Letter & of Governo^r fletcher's Letter, & their advice yrin & ans^r yrto, was Committed. That having taken the same in to their Serious Consideration, Humblie offerr y^r opinion that they are not in a Capacitie to give a full & Satisfactorie ans^r to soe weightie a matter wtout a generall Assemblie, & most of ym living soe remote from this place, & Harvest drawing on so near, that they cannot meet untill about the 9th day of Sept^r next, And yrfore, doe advise the Governo^r to Command the assemblie to meet the sd day, to consult & resolve yrupon.

Then the Go^r said: "Gentl., You are my wittnesses that I "have done my dutie: Onlie wish that this your delay may not be "taken for a deniall, The Consequences wherof may prove verie "fatall to us all. And desired they wold Consider further before they "resolved."

They replyed that they had deliberatelie Considered of it, & y^t it wold tend to the ruine of manie families to be from home in harvest time.

Resolved yt the Assemblie be Convened to meet att philadelphia the said 9th day of Septr next, by order from the Governor.

Then the Gor said further: "Gentl., you know yt in their Maties "Lres patents for restoring Mr penn to his governmt it's said, That "he, the sd Mr penn, Has given yr Maties good assurance that hee will "take care soe farr as in him Lyes, to secure the province. What "will you advise me in this case about securing ye same agt anie "attempts that may be made upon us by or enemies? will you be "willing yt if an enemie should assault us I should defend you by "force of armes?" Some made ansr yt they wold; Others that they must Leave everie one to yr Libertie, & yt Governor penn's instrucons yrin must be followed, and it being his bussines they had nothing to doe with it.

Then the Gor desired to know of Jno Goodson, his assistant, whether hee was dissatisfied wt any thing hee had done during this time of Sessions? Jno goodson ansred yt hee was well satisfied wt all yt had been done.

Then the Gor desired yt the repsentatives that Lived nearest to philadelphia might give yr attendance in Councill upon anie emergencie, when called by the Gor & his sd assistant.

Adjourned to 9th Septembr, 1695.

[9th Septembr, 1695.

Att a provinciall Councill Held att philadelphia die Lunæ, the 9th of September, 1695.

PRESENT:

WM. MARKHAM, Esqr. Governor undr Wm. penn, Esqr. &c., and John Goodson assistant.

Samll Carpenter,
Samll Richardson,
Anthonie Morris,
Joseph Growdon,
phinehas pemberton,
William Biles,
David Lloyd,
Caleb pussey,
Thomas* Marris,
John Donaldson,
John Williams,
Richd Halliwell,
John Brinkloe,
Richd Willson,
Griffith Jones,
William Clark,
Tho. pemberton,
Robt. Clifton,
Pat. Robinson, Secrie.

The Governor desired the secrie distinctlie to read all the minutes of Councill that have been held since the restoration of the proprietor to his government, Which the secrie accordinglie did.

Then the Governor said: "Gentl., I ordered all the minutes of "Councills that have been held since the proprietor's restoration to "his governmt to be read, to remind you how wee have fallen outt of "the method of govermt formerlie settled by the proprietor & the "people's repsentatives, In which the provinciall Councill used to

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*His name was George.

“promulgate bills that were to be past into Laws twentie dayes before the sitting of the assemblie, att the end of which time the assemblie used to meet to Confirm or reject those bills.

“Gentl., You are sensible how much I was agt altering anie thing in the charter which was granted us by the proprietor, wtout his knowledge & consent, & how great occasion I had for an Assemblie was & is plain to you, Viz: to answer the Late Queen's Comands in assisting Newyork wt or Quota agt or Comon enemie the French.

“Gentl., I endeavoured to bring the govermt to the method that was ever used in the proprietor's time, before his Excellie Governor Fletcher had it, and accordinglie, I issued outt writts to forme a provinciall Councill; In answer wherto you mett & performed by Oathes, attests & Subscriptions, all things necessarie to it; and then I did my dutie & Laid before you the Late Queen's Letter & his Excellie the Governor of Newyork's application to mee for the Quota allotted to this governmt, expecting you wold have promulgated bills for the raising monie for it, but instead of that your Resolves wer that you were not in a capacitie to give a full & Satisfactorie answer to so weightie a matter wtout a Generall Assemblie, & most of you Living soe remote from this place, & Harvest drawing on soe neer, that you could not meet untill about the ninth day of Septr then next; And yrfor, did advise mee to Comand the assemblie to meet the said day, to consult & resolve yrupon. And yrfor, it was resolved that the assemblie be conveened to meet att philadelphia the sd ninth day of Septr then next.

“And now Gentl., you are to advise what course to steer to attain to the Chief end of or meeting, viz: to answer the Late Queen's Letter, & when that is done & the Ice broken, all other things will be easie.

“Gentl., the Assemblie is come according to appointment; The first thing wee are to Consider of is the method of preparing and passing Bills. Gentl., Both you of the Councill as well as of Assemblie, are Repsentatives of the people, both being chosen by them; I Have not the choice of one member of either, therfore, when I speak to you I speak to the people's Repsentatives, as much as when I speak to the Assemblie, And wtout yor & their Consent, I cannot raise monie, & wtout monie I cannot answer the Queen's Commands. I pray God direct you that what you doe may be to his glorie, the king's honour, & the saftie of this poore province. Gentl. I expect your ansr.

Adjourned till to-morrow morning.

[10th Septr, 1695.

Att a Councill Held att philadelphia die Martis, 10th of Septembr, 1695.

PRESENT:

WM. MARKHAM, Esqr Governor undr Wm. penn, Esqr & Jno Goodson assistant, And all ye members ut antea.

Cornelius Empson & James Fox, two of the members of Assemblie, Came from the Assemblie, desiring to know of the Gor when the Assemblie might ye admitted.

The Governor answered that hee & Councill were readie to receive them.

In a small time afterwards they all appeared, & presented Edward Shippen for yr Speaker, of whom the Governor did approve.

Then the sd Edward Shippen, Speaker, & all the other members of Assemblie for the Counties of philadelphia, Bucks, Chester, newcastle, kent, & Jno Stoaklie & Thomas Oldman, for the Countie of Sussex, subscribed the test, profession of the Christian beliefe & declaraon of fidelitie ; and the Last foure for the Countie of Sussex, Viz: Joseph Booth, Henrie Malleston, James peterkin & Jonathan Baylie, took the oathes appointed by act of parliamt to be taken in stead of ye oathes of allegiance & supremacie, & subscribed the test.

Then the Governor Spake to the Assemblie :

“ Gentl., you are now qualified for bussines, and that you may “ the better know yor dutie, you shall heare the papers following :” and then desired the Secrie to read their Maties Letters patents restoring Mr penn to his governmt, which was accordinglie done ; Then Gor penn's Comission to his kinsman, Wm. Markham, to be Gor undr him ; THen Gor penn's Comission to Samll Carpenter & John Goodson, or anie of them, to be his assistant ; THen the Late Queen's Letter of ye 21st of August, 1694, appointing eightie men, with their officers, or the value of the chairges of maintaining the same, to be the measure of the assistance to be given by this province & countrie of newcastle for the defence & securitie of the province of Newyork, Requiring & Comanding or proprietor, upon applicaon of the Gor & Comandr in Chief of the province of Newyork, to send ye same. THen His Excellie Benjn Fletcher, the Gor of Newyork, his Letter to Gor Markham of the 15th of Aprill, 1695, demanding from this province the sd 80 men & their officers, wt arms, amunition, & pay for one year, to be att Albanie the 1st of May then next ensuing, or as soon as possible may be. Then his sd Excellies other Letter of 12th June, 1695, then applying himself to Gor Markham for the sd Quota of 80 men wt yr proper officers, or that the value of the chairges for maintaining them be provided & sent to Newyork ye 1st of Augt then next, in obedience to the Comands of her Late Matie. Then his Excellies other of 3d 7br., 1695, Renuing his applicaon to Gor Markham for ye above assistance in men or monie, with a copie of the mohaques proposions. And then wer read the propositions made by ten of the principall Sachims of the Mohaques Countrie to Gor fletcher, in the Court house of Albanie, ye 28th of Augt, 1695. And yn ye Gor said: “ Gentl., I thought it necessarie to cause the above papers to be read, “ as the foundation & beginning of yor preedings. I made a speech “ to the Councill yesterday which they shall have, and they will Re- “ solve into a Comittee of the whole house to consider yrof; & Mr “ Speaker, I desire you to doe the same, yt you may meet together & “ give yor best concurrent advices in ordr to answer my sd speech.”

Ordered, That the whole members of Councill doe Resolve into a grand Comittee of the whole house to Join a grand Comittee of the whole members of Assemblie, to consider of an answer to the Gors speech, att 3 post meridiem, And to make report to-morrow morning.

Adjourned to yth Septr, 1695.

[11th Septr, 1695.

Att a Councill Held att philadelphia die Mercury, 11th of Septembr, 1695.

WM. MARKHAM, Esqr, Governor undr Wm. penn, Esqr, and all the members, ut supra, except Wm. Biles.

The Committee to whom the consideraon of an ansr to the Gors Speech was comitted, Reported That the Gors speech to the Councill Having been read to the Assemblie, They did upon the vote putt, agree That they might proceed to Legislaon wtout promulgaon of bills, (as was usuall by the Late Charter,) Considering the present emergencie. They also did upon the vote putt, agree that the power of preparing & proposing bills to be past into Laws may be in the Councill as well as in the Assemblie, (while both are the people's choice.) They did also agree that the Gor be requested to appoint a Comittee of Councill to meet a Comittee of the assemblie, To Consider of an answer to the Queen's Letter, & an act of settlement.

THe Governor did accordinglie appoint two members of each Countie, Viz: Samll Carpenter, Samll Richardson, Joseph Growdon, phinehas pemberton, David Lloyd, Caleb pussey, Jno donaldson, Richd Halliwell, John Brinkloe, Griffith Jones, Wm. Clark & Tho. pemberton, to Join a Committee of the Like number of ye members of assemblie, to Consider of an ansr to the Queen's Letter, And his Excellie Gor Fletcher's demands therupon, & of an act of settlement, to meet at two of the Clock in the afternoon.

[19th Septr, 1695.

Att a Councill Held att philadelphia die Jovis, 19th Septembr, 1695.

PRESENT:

WM. MARKHAM, esqr Governor undr Wm. penn, esqr, & all ye members except Jno Williams & Jno Brinkloe.

The Committee to whom the Consideraon of an answer to the Queen's Letter, & his excellie Gor Fletcher's demands therupon, & of an act of Settlement, was Comitted, Gave in yr report in answer to the Gors speech in writting, Which was read, viz: The report of the Comittee of certain members of Council & assemblie in answer to the Gors Speech:

"May it please the Governo^{r}. Wee Having dulie Considred thy "speech delivred us att the opening of this Assemblie the ninth instant, "As also the Late Queen's Letter, dated the 21st of Aug^{t}, 1694, "together w^{t} Coll. Fletcher's applicaons for the Quota appointed by "the sd Queen to be sent from this governm^{t} for the defence of New-"york, and also having perused the minutes & proceedings of the "Councill & assemblie for the two Last years, Wee find that the "Generall Assemblie in the yeare 1693, in Compliance with the "Queen's former Letter, soe farr as the religious psuasion of the "major part of them could admitt, did Humblie psent king Wm. & "Queen Marie with an assessment of monie upon all estates wtin the "sd province & territories for support of this governm^{t}, which sd "assessm^{t} amounting to about 760lb. this Countrie monie, The nett "produce wherof being Computed upon the then Councill book to "be about 500lb. st. The greatest part of which wee understand, is "gathered & sent to newyork by ord^{r} of Coll. ffletcher, Who having "soe much regard to the tender Consciences of such as might scruple "the giving of monie to support warr, did declare before anie assess-"ment was agreed on, that what monie should be raised here for "support of governm^{t}, should not be dipt in blood, (as hee was pleased "to phrase it,) which hee afterwards explained upon severall occa-"sions, & pticularlie in his speech to the assemblie in the yeare 1694, "wherein hee expressed in these words, viz: Gentl. I consider yo^{r} "principles that you will not Carie armes nor Levie monie to make "warr, tho' for yo^{r} owne defence, yet I hope you will not refuse to "feed the hungrie and & cloath the naked; my meaning is to sup-"plie those Indian nations w^{t} such necessaries as may Influence ym "to a Continouance of y^{r} friendshipp to these provinces. Therfore, "It is the Opinion of this Committee, that all the monie alreadie "raised, or att this time intended to be raised for support of governm^{t}, "& not expresslie appointed for anie other pticular use, ought to be "deemed & taken in stead of the assistance required from this go-"vernm^{t}, the same being in ans^{r} to the Queen's Letters, soe farr as "in Conscience & abilitie wee can Complie therwith, And that the "same may be appropriated accordinglie, as the Go^{r}, or his deputie "for the time being, shall see meet."

THe Governo^{r} then told ym, "that if that narrative of what they "had done in 1693, relating to the Late Queen's first Letter, might "be serviceable to ym, hee should be satisfied yrwt, and yrfor desired "as they had begun, soe they wold proceed to give an effectuall "answer yrto, & to His Excellie Go^{r} Fletcher's demands yron, by "raising of monie."

THen all the members Unanimouslie declared, that it was their design to raise monie for the king, To be made use of as hee pleased.

The sd Comittee also gave in y^{r} Report relating to an act of settlement in writting, which was also read.

THen the Governo^{r} told them "that what they had heard read was "but Reports of a Comittee, both of members of Councill & assem-"blie, & yrfore, It was necessarie y^{t} y^{e} whole members of Councill "should signifie ther acquiescence yrwith. Wherupon the Gor putt "this Vote: all you Gentl. that acquiesce with the two reports now "read, stand up & say YEA, all you yt doe not acquiesce therwith "stand up & say NAY." Caried in the affirmative.

Therafter the Gor Ordered Joseph Growden, Samll Richardson, david Lloyd, Richd Halliwell, Griffith Jones, & Wm. Clarke, to present the said two Reports to the assemble for their acquiescence, and after they had done the same, Hee, the Gor, wold make such observaons theron as hee should think fitt.

Adjourned to the 20th instant.

[20th Septembr, 1695.

Att a Councill Held att philadelphia die Veneris, 20th of Septembr, 1695.

PRESENT:

WM. MARKHAM, Esqr. Governor undr Wm. Penn, Esqr, &c.,& all the members except Anthony Morris, John Williams, & John Brinkloe.

The members who wer ordered to present the sd two Reports to the Assemblie for their acquiescence, made report that they had delivred the sd two reports to the assemblie, who ansred they wold Consider the same.

Ordered, that Samll Richardson & Wm. Clarke goe to the assemblie & acquaint them That the Governor & Councill doe waite for them.

John Blunston, James Fox, Wm. Rodeney & Edwd Gibbs brought from the assemblie ye sd two Reports, & told the Gor & Councill that they acquiesced yrwith, With some few amendments.

Therafter the Gor. Caused the sd two reports, The one relating to the Queen's Letter, & the other relating to the act of settlement, to be read, agt which act of settlement The Gor made objections to severall paragraphs therof.

Ordered that the whole members of Councill doe Resolve into a grand Committee of ye whole house, to join a Grand Committee of the whole members of assemblie, to Consider further of proceeding effectuallie to ansr the Late Queen's Letter, By drawing up a bill for raising of monie to answer ye same, & his Excellie Governor Fletcher's demands therupon. And by drawing up another Bill for the ac of settlement.

[27th Septembr, 1695.

Att a Councill Held att philadelphia die Veneris, 27th of Septembr, 1695.

PRESENT:

WM. MARKHAM, Esqr., Governor undr Wm. penn, esqr. John Goodson assistant, & all yr members of Councill, And all ye members of Assemblie except Nicholas Wallne & John Betts, sick, and daniell Brown, dead.

"The Committee to whom the Consideraon of the Late Queen's "Letter, By drawing a bill for raising of monie to ans the same, & "his Excellie Governo^r Fletcher's demands yrupon, and the act of "Settlement, made Report, That they had drawen up the said Bills "which had been y^e day before sent to the Governo^r by foure mem-"bers of Councill for his perusall.

THen the Governo^r said: "Gentl, I yesterday Received from you "two bills; The one entitled an act for raising One pennie p. pound "& Six Shillings p. head on such as are not otherwise rated y^{r}by, "towards the support of governm^t, wherein you propose to give 250lb. "for support of governm^t & 300lb. to mee towards my services, and "the Surplusage for defraying the debts of the governm^t. The other "an act of settlement.

"If you Gentl, the members of Councill & assemblie, are satis-"fied with those bills as they are, They need not be read over again. "But if you, or anie of you, are not, Ile order the reading of them." Wherupon the members of both Councill & assemblie did declare themselves Satisfied w^t ym, & y^t they needed not be read over again.

THen the Governo^r said: "Gentl, You have delivred mee these "two bills together, as if you meant to tack ym soe the one to the "other, as that I must pass both or neither. Gentl, you know I "allwise Recommended to you the effectuall Consideraon of, & ans^r "to her Late maties Letter, & his Excellie Go^r Fletcher's demands "yrupon; This was the prime & principall (if not the onlie) occa-"sion of my calling & of yo^r coming together att this time, (for wee "formerlie had Laws enough, & men enough to execute them.) "You have indeed in some manner Considred it. But as you have "brought these two bills together, it wold seem you wold have ym "past together. But Gentl, To be plain & above board with you, "If you'll first pass the monie Bill, designed (as you say) to ans^r the "Queen's Letter, in what manner & und^r what title you please, Ile "give sanction to it, Leaving the bill about the act of settlement to a "further debate. Gentl, In the monie Bill you have Considered mee, "and I as much thank you as if I had received yo^r offerr; But I "desire to be totallie left outt of it, rather than the Late Queen's "Letter should remain unanswered. And I assure you Gentl, I shall "not assent to the passing of anie bill or bills whatsoever till that be "past first."

Then a member of Councill Spake to this effect: that in the parliament of England the people had allwise their priviledges granted to them befor they gave anie monie, & y^t the monie bill used to be the last; & tho' wee can pretend to no equalitie with them, being a poor province, yet we are to proceed in some sense in a parliamentarie way in our degree.

THen the Governo^r said: "Gentl, You Have now satt well nigh "three weeks & have done next to nothing; The onlie thing I called "you for was to answer the Queen's letter, & his Excellie Governo^r "Fletcher's demands yrupon. I have oft prest you to it, & do now "again."

Wherupon Severall members, one after another, urged the passing the act of settlement, alledging there was no more required by ym in y^t bill than what the proprietor had granted ym befor.

THe Governo^r said: "Gentl, I cannot in Honor nor Justice to the proprietor pass this bill or act of settlement, Nor will I. I have sufficient reasons for it, wch I am not obliged to give here. Gentl, As oft as I press you to ans^r the Late Queen's Letter for the supplie of Newyork, yo^r ans^r to mee is that yo^r priviledges ought to be confirmed to you. I never did, nor ever shall endeavour to diminish them.

But Gentl, Since there's no Likliehood of obtaining from you anie ans^r to the Late Queen's Letter, nor to his Excellie Go^r Fletcher's demands therupon, Unless Ile enter upon & grant you a Charter of priviledges, I dissolve you, & you are hereby dissolved.

The end of the third session of Councill & Assemblie.

[PHILADELPHIA, 25th Sept^r, 1696.

Att a Council Held at philadelphia Die Veneris, y^e 25th day of Sept^r Anno R: R: Gulielmi terty nunc Angliæ, &c. Octavo Annoq dui, 1696.

PRESENT:

WILLIAM MARKHAM, Esq^r., Governo^r. und^r Wm. Penn, Esq^r.

Edward Shippen,	Jasper Yeates,	John Brinkloe,
Anthony Morris,	Richard Halliwell,	John Hill,
David LLoyd,		pat. Robinson, Secry.

Jasper Yeates, Richard Halliwell, Jn^o Brinkloe, Jn^o Hill & pat Robinson, took the oathes appointed by act of parliamt to be taken in Stead of the Oathes of allegiance & Supremacy, & Subt. the test. Edward Shippen, Anth. Morris & david Lloyd did subscribe the declaraon of fidelity, profession of the Christian faith & the Test, and all of them promised fidelitie to Wm. penn, proprietor & Governo^r of y^e sd province, & Secrisie in all matters that should be secretly treated of in Council.

Then in respect the provincial Court was a Sitting, & that one of the members of Council was a provincial Judge, & y^t two members appointed to attend as Counsellors wer not yet come to town, The Governor

Adjourned to 28th instant.

[28th Septr, 1696.

Att a Council Held att philadelphia die Lunæ, 28th September, 1696.

PRESENT:

WM. MARKHAM, Esqr. Governor, &c. et ysdem ut supra.

The Governor said: "Gentl, Att or last meetting the provincial "Court requiring the attendance of some of you, I could then proceed no farther than to administer to some of you the Oathes, &c., "& to see you subscribe the test, And to see others subscribe the declaraon of fidelitie & profession of the Christian faith & test. I think "it necessary to take the same my selfe, which I desire you to administer to me, & tho' I have taken ym before, yet I think it requisite to "take ym again, becaus there is some alteraon in the frame of or governmt since I Last took ym." To which some of the members answered, that since they could not take an oath ymselves, they could not administer one to others. Wherupon the Governor desired the Secrie to administer the same to him, which he did, and accordingly the Gor took the oathes appointed by act of parliamt to be taken in sted of the oathes of allegiance & Supremacie, and subscribed the Test.

THen the Governor said: "Gentl. I had not been so long wtout a "Council, but that I expected orders from or proprietor & Chief Governor, (having given him an exact & true accot of the state of his "governmt from the time he has been pleased to Comitt it to my "care.) But by his Lyres, I perceive some of mine have been taken "by the French & others, soe delayed by the Long stay of the shipps "wherein they went, that they were not come to hand before this Last "Virginia fleet came from England. But Having Received severall "orders & Instructions, both from the Honble The Lords of the Council & the Comrs of his Matjes Customs, with an act of parliamt for "preventing fraud & regulating abuses in the plantaon, & strict chairge "& Comand from the proprietor & Chief Governor, vigorouslie to "putt the same in execuon. All which I desire the secrie to read."

Then the secrie read The Copie of the Comrs of his maties Customes, their report to the Lords spiritual & Temporal, in parliamt assembled, what may be the proper means to remedie the Inconveniences arising from the scotch act to the trade & navigaon of England, dated 12th decembr, 1695; And the Copie of their Lords & ye Comons, in parliamt assembled, their address to his matie, representing to him the great advantages yrby granted to the scotch Compa, & the obstructions that the sd act will bring to the general trade of the nation of England, &c. As also, his maties most gracious answer to the sd adress. As also, the Comrs of his matjes Customs, their Lettr to the Governor of this province, requiring him strictlie to observe & put in execuon all the Laws of trade & navigaon, dated 9th Janry, 1695-6. As also, the Lds of Council, their Lettr to the Comandr in Chief of this province of 13th febry, 1695-6, to see the acts of trade executed according to the sd Comrs of ye Customs, their sd Letter, As also, the act of parliamt made in the 7th & 8th year of king Wm. the third, Entitled, an act for preventing frauds & regulating abuses in the plantaon trade. As also, the Los of Council, their Lettr to Wm. penn, proprietor of this province, Requiring him in his matjes name, to take care that the sd act past in the sd 7th & 8th year of his reign, & all other Laws made for the encouragement of navigaon & the securing the plantaon trade, be duly publisht within this his sd province & Country of Newcastle, & strictlie putt in execuon by all whom it may concern, dated 15th April, 1696. As also, the Lords of Council, their Lettr to the Governor of this province to putt themselves in a posture of defence agt the attempts of the French, dated 20th April, 1696. As also, ye sd Wm. penn his Lettr to Wm. Markham, his deputie Gor, desiring him to be vigorous and carefull to Comply wt the Laws of trade & navigaon. All which having been read,

"The Governor said: "I have therefore, being well satisfied in "yor Loyaltie & allegiance to his matie king Wm. & of yor fidelity "to the proprietor, made choice of you for his Council, the number "of which is not to exceed Twelve, & no Less than five to be a "Quorum. I know you are all men that are fastned to the Country "by visible estates, I mean such as the Law calls Real estates, of "which each of you have a plentiful portion, & thats a great securitie "that you will study the Interest of the Country, & will advise me "in what you believe to be for the saftie & preservaon of it; and let "me tell you, that nothing can be more for yor preservaon & securitie, "nor recommend you more to his matie, than yor diligent observaon "and execuon of his Laws & orders. In this I doe not speak to you "only as a Council, but also as you are magistrats, & as such that "you will have a special care in yor respective Counties, that nothing be done to the Contrarie, or in violation of them, but that you "be diligent to see ym dulie executed; and this is not only a dutie to "yor Soveraign, but a Justice incumbent upon all Honest men & "Lovers of their Country.

"The proprietor advises mee that hee has wrote to some friends "about his Excelly Governor ffletcher's objection about men or money. "If anie of you know the Contents of that Lettr, & that it be convenient, I desire you will acquaint the board with it; perhapps it may "his Excelly Gor ffletcher satisfaction. I have Sea'll Lres from him "since the Last assembly, demanding our Quota; but you all know "I could make no Satisfactorie answer wtout money. To answer all "these things to purpose, and to putt this governmt in a better posture "of defence & securitie than it is att present, I find it absolutlie necessarie that there be an assembly called with all convenient speed, "Wherein I desire yor advice."

THe members of Council did Unanimouslie advise the Governor to call an assembly.

Wherupon the Gor ordered the secrie to prepare writts to be Issued to the sheriffs of the Seall Counties, to Sumon the people to meet in the usual places upon the Sixteenth of Octobr next, & the Counties of philadelphia & newcastle, to choose for each of them foure persons to serve in Assembly, & the other four Counties to choose for each of them three persons to serve in Assembly, to meet the 26th day of the sd mo. Which the secrie accordingly did.

Adjourned to 26th of Octobr next.

[26th Octobr, 1696.

Att a Council Held att philadelphia die Lunæ, 26th Octobr, 1696.

PRESENT:

WILLIAM MARKHAM Esqr. Governor, &c.

Edward Shippen,	david Lloyd,	John Hill,
Anthony Morris,	John Brinkloe,	pat. Robinson.

John donaldson took the usual oathes, &c., & Subt the test. Wm. Clarke did subscribe the declaraon of fidelitie, profession of the Christian faith & the test, & both promised fidelitie to Wm. penn & secrisie in debate, & took their places att the board.

Therafter John Goodson, who had been by Comission from the proprietor appointed assistant to Gor Markham, Came into Council and desired of the Governor to be acquitted of his assistanceshipp, To which the Governor. acquiesced.

In respect all the members of assembly wer not come to town, the Governor adjourned the Council to three in the afternoon.

Adjourned to 3 in the afternoon.

[28th Octobr, 1696.

Att a Council Held att philadelphia die Mercury, 28th October. 1696. Hora tertia, post meridiem.

PRESENT:

WM. MARKHAM, Esqr. Governor, &c.

Edward Shippen,	John Brinckloe,	John Hill,
Anthony Morris,	Jno donaldson,	Jasper Yeates,
David Lloyd,	William Clarke,	pat. Robinson.

Upon the memorial of the Honble Andrew Hamilton, Esqr. Gor of the Jersies, & post master generall, &c. to the Gor & Council, Setting forth that it was formerlie with great difficultie that the post could goe to philadelphia by Land, to the great inconveniencie of Correspondence & trade, And yt for remedie whereof, & accomodaon of Travellers, a ferry had been erected on Jersie side att a great chairge, but that the way was not yet returned from the Landing on pennsilvania side to the king's road, wch is about three Quarters of a mile & easily cleared; And therfore, Requesting the Governor & Council to approve the said road, and give the necessarie orders for clearing it.

Ordered, that a warrantt be directed from the Governo^{r} to Thomas ffairman, Surveyor, To lay outt the king's road from dunck William's Landing, (the nearest & most convenient y^{t} may be had, & Least prejudicial to the Lands and improvments of the nighbourhood,) Into the king's great road that Leads to philadelphia, and that a Return in words, of the Courses & protracted figure therof, be made Into the Secries office, in order to be filed & recorded there, as a finall Confirmaon therof. And that the Justices of the peace for the County of Bucks, be by the Governo^{r} requested to order the overseers of y^{e} Highways in that County to make good & clear the same w^{t} all expedion.

[29th Octob^{r}, 1696.

Att a Councill Held att philadelphia die Jovis, 29th October, 1696.

PRESENT:

WILLIAM MARKHAM, Esq^{r}., Governo^{r}, &c., et ysdem ut supra, &c.

Upon the petion of divers Inhabitants of the Town of philadelphia, to the Go^{r} & Council, Requesting them to grant an order for the Laying outt a sufficient Road, the nearest & best that may be had from the Lowermost ferry upon Skuilkill, Comonlie called Benjamin Chambers' ferry, Into the Town of Philadelphia.

Ordered, That a warrant be directed from the Governo^{r} to Thomas ffairman, Surveyor, to Lay outt the king's road from the sd ferry, the nearest, best & most convenient that may be had, & Least prejudicial to the Lands & Improvments of the nighbourhood, To Come into the southermost street of the town of philadelphia, & which street runns from delaware river to the Skuilkill, And that a return in words, of the Courses & protracted figure therof be made into the Secries office, In ord^{r} to be filed and Recorded there, as a final Confirmaon thereof.

Upon the petion of diverse Inhabitants of y^{e} sd town of philadelphia to the Go^{r} & Council, Requesting ym to grant an Ord^{r} for Laying outt a sufficient road from the north side of the sd ferry, the nearest & must convenient that may be had, To Hertford towne.

Ordered, that a warr^{t} be directed from the Governo^{r} to Thomas ffairman, Surveyor, to Lay outt a Road from the west side of the sd ferry, to goe as farr in the road that leads to Darby as may be, and from thence the nearest, best and most convenient that may be had, & Least prejudicial to the Lands & Improvments of the nighbourhood to the town of Hertford; and that a return in words, of the Courses & protracted figure therof, be made Into the secries office, In order to be filed & recorded there as a final Confirmaon thereof.

Upon reading the petion of Thomas Hollingsworth to the Governo^{r} and Council, Requesting ym to grant an ord^{r} for Laying outt a Road from New worke, in Newcastle Countie, To Jn^{o} Bucklies', Oliver

Copes', Jn° preus', Jn° Clowds', Wm. Rossen, Naaman's Creek, and thence to Hans Justice's, & so to the king's road in Chester Countie. And to grant another road from Jeremiah Clouds' in Newcastle county, to John Bucklies, & from thence to delaware river.

Ordered, that a warrant be directed from the Governo^r To Thomas pierson, surveyor, to Lay outt the sd Roads the nearest and most convenient that may be had, & Least prejudicial to the Lands & Improvments of the nighbourhood, and that a Return in words, of the Courses & protracted figures of the same be made Into the secries office, In ord^r to be filed & Recorded there as a final Confirmaon thereof.

[Oxford petion for Two Roads & a Branch, &c.

Upon reading the petion of the nighbourhood and adjacent Inhabitants of Oxford Towneshipp, in the Countie of philadelphia, Requesting the Governo^r & Council to settle upon ym & the publick, two roads, & a branch of a road: The first beginning att a white Oak, neer the bridge over Thomas p'sons water mill race, and thence to the Bristoll Townshipp, according to the Return of the Courses thereof to the sd petion annext, and protracted figure of the same. The second Beginning att Richard Dungworth's mill, Leading to Thomas pson's grist mill, Lying & being att Franckford, according to the Return of the Courses thereof & protracted figure of the same, to the sd petion also annext. As also, a Branch of the said Road beginning att a white Oak, in Rich^d Buzbies Land, neer Jn° Wells' Log-house, Leading to the extent of the bounds of Oxford townshipp, according to the Return of the courses therof & protracted figure of the same, to the sd petion also annext.

[Answered.

Resolved, That the sd two roads & branches of a road, Bounded as is particularlie mentioned in the Returns thereof made by John Harper, surveyor, & who surveyed the same by the Consent, approbaon & with the assistance of the nighbourhood, Be, and shall hereafter be Reputed and taken for the sd roads & branch, And that the Secries Recording of the sd returns thereof, & fileing up the same, & the protracted figures therof, shall be a final Confirmation of the said two roads & branch.

Adjourned to 31st instant.

Att a Council Held att philadelphia Die Saturni, 31st October, 1696.

PRESENT:

WILLIAM MARKHAM, Esq^r., Governo^r, &c.

Edward Shippen,	William Clarke,	John Hill,
Anthony Morris,	John Brinckloe,	pat. Robinson.
David Lloyd,		

Upon Reading the petion of Sam^{ll} Atkins against Edmond dutton, Ordered that att or before the first day of decemb^r next, the petition^r, Sam^ll Atkins, pay to the sd Edmond Dutton, the sum of Twelve pounds, Silver monie, as was awarded him, with all the Legal charges that have accrued upon the suits upon the bonds of arbitraon, both att the Countie & provincial Courts, and that the same soe paid, be in full satisfacon to the sd Edmond Dutton, of all sum & sums of monie due to the sd Edmond by reason of the sd arbitraon, bond, Judgment and execuon following thereupon, and that after paym^t of the sd sum & charges, as aforesaid, an ord^r from the Go^r, to be directed to the sheriff of the Countie of philadelphia, To make restituon to the petitioner of all goods, chattells, Lotts, Lands & Tenements that hee has taken in execuon upon the sd Judgmts; Because the sd execuon did Improvidently Issue forth.

[Record of The Road from Tho. Parsons' water bridge Race to Oxford, in Oxford Creek, behind Dan^ll Street's house.

THe ninth of the Eighth moneth, 1695.

THe observations and mensurations then taken in a Road between Thomas parsons' water Race bridge, and the ford in Oxford Creek, behind Daniel Streets' House, by mee actually measured, Then Having in Company the Inhabitants of the aforesaid Townshipp; Beginning att a white oak neer the said parsons' water Race bridge, North-west thirteen degrees, twenty-two pearches; Thence north west Twenty degrees, Sixty pearches; Thence north-east Twenty-five degrees, fifty-two pearches; Thence north-west Twelve degrees, fifteen minuts, fourty pearches; Thence north-west seven degrees, Twenty-four pearches; Thence north-east fourty-three degrees, fifteen minuts, ten pearches; Thence north-east Sixty-seven degrees, thirty minutes, Sixtie-eight pearehes; Thence north-east fourty-one degrees, Twenty minutes, Seventeen pearches; Thence north-west ten degrees, eight pearches; Thence north-west Twenty-Seven degrees, Thirty minutes, one Hundred & Twelve pearches; Then north-west fifty-Six degrees, Thirty minutes, thirty-four pearches; Thence north-west fourty-one degrees, fifteen minutes, fifty-two pearches; Thence north-west Twenty-nine degrees, fourty-nine pearches; Thence north-west thirty-eight degrees, fifteen minutes, Seventy pearches; Thence north-west fifteen degrees, fifteen minutes, One Hundred & fourty pearches; p. me,

JOHN HARPER, Junior.

[Record of The Road from Richd Dungworth's mill To Tho. parsons' grist mill.

The ninth day of the Eight moneth, 1695. THe observaons & mensuraons then taken in a Road, Between Richard Dungworth's mill & the king's Road, by me actually measured, then Having in Company the Inhabitants of the oxford Townshipp, Beginning att the said mill South-east six degrees, Twenty-eight pearches; Thence south-east fiftie-five degrees, ninteen pearches; Thence south-east thirteen degrees, eighty pearches & ten links; Thence south-east thirty-six degrees, Twenty-nine pearches; Thence south-east fifteen degrees, thirty pearches; Thence south-west six degrees, Twenty pearches;

Thence south-east five degrees, Seventy-two pearches; Thence south-west eight degrees, fifteen minutes, fiftie-eight pearches; Thence south-east Twenty-six degrees, ten minutes, seventy-foure pearches; Thence south fourty pearches; Thence south-west twenty-four degrees, fifty minutes, fourty-foure pearches; Thence south-east nine degrees, fourty-four pearches; Thence south-east fifty-four degrees, twenty-eight pearches; Then south-east twenty-three degrees, eighteen pearches; Thence south-west three degrees, thirty pearches; Thence south-west ninteen degrees, seventy-eight pearches; Thence south-east eleven degrees, thirty minutes, seventy-Two pearches; Thence south-west Twenty-eight degrees, thirty minutes, Twentie-four pearches; Thence south-west Two degrees, One Hundred and Twelve pearches; THe king's Road South-west fourty-five degrees.

[Record of A Branch out of said Road.

As also a Branch out of the Road aforesaid, Beginning at a white oak in Richard Buzby's Land; Thence north-east thirty-four degrees, seventy-two pearches; Thence north-east Ten degrees, fifty minutes, thirty-five pearches; Thence north-east Twenty-three degrees, four-six pearches; Thence north-east three degrees, ten minutes, fifty-nine pearches; Thence north-east ten degrees, thirty-five minutes, ninty-six pearches; Thence north-east thirtie-three degrees, fifty-five minutes, fifty-six pearches; p. me, JOHN HARPER, Junior.

[Record of the Road from dunken Williams' Landing To The old king's Road.

By virtue of the Governor's speciall warrant, bearing date y^{e} 28th day of October, 1696, to mee directed, psuant to an order of the Governo^{r} & Council, granted upon the applicaon of Andrew Hamilton, esq^{r}. Governo^{r} of y^{e} Jersies & post m^{r} generall, I Have surveyed & Laid outt the king's roade from y^{e} Landing of dunken Williams, on delaware, in the Countie of Bucks & province of pennsilvania, Beginning there at a spanish oak att High water mark; thence sixtie foot broad, extending North North-west on each side the Line, dividing betwixt the Land of the sd duncken Williams & Nathaniel Harding, Two Hundred pearches; Thence in the sd duncken's Land, north eightie-One degrees, westerlie fourtie pearches; Thence north sixtie-foure degrees, westerly sixtie-two pearches, Unto the old king's Roade which Leads to philadelphia, & Hath been ancientlie Surveyed & Returned. The Janry, 1696, p. me,

THO. FFAIRMAN, Survey^{r}.

PROVINCE OF PENNSILVANIA & TERRITORIES.

Minutes of Council in the Assembly, Anno R. R. Gulielmi, Tety nunc Angliæ, &c. Octavo.

[26th October, 1696.

Att a Councill Held att philadelphia Die Lunæ, 26th Octob^{r}, 1696, hora tertia post meridiem.

PRESENT:

WM. MARKHAM, Esq^{r}., Governo^{r} under Wm. penn, Esq^{r}. &c.

Edward Shippen,
Anthony Morris,
David Lloyd,
Jasper Yeates,
John Hill,
John Brinckloe,
Wm. Clarke,
Jno. Donaldson,
pat. Robinson.

The Representatives Returned to serve in Assembly, by Sam^{ll} Richardson & Wm. Rodeney, acquainted the Governo^{r} that they wer readie to make their appearance, who told them that hee waited for them.

After some time Sam^{ll} Richardson, James Fox & Nicholas Walne, (Sam^{ll} Carpenter absent,) for the Countie of philadelphia; Wm. Biles, Joshua Hoops & Wm. paxton for the Countie of Bucks; John Simcocke, Jn^{o} Blurnston & Caleb pussey for the Countie of Chester; John Hussey, Cornelius Empson and George Hogg for the Countie of Newcastle; Wm. Morton, (Richd Willson absent,) for the Countie of kent, (Thomas pemberton & Roger Corbet for the Countie of Sussex, absent.) All those present did subscribe the declaraon of fidelitie & profession of the Christian beleife & the Test. Adam peterson for Newcastle, Wm. Rodeney for kent, & Jn^{o} Meirs for Sussex; and took the oathes appointed by act of parliamt to be taken instead of the oathes of allegiance & supremacie, & Subt. the test. The repsentatives appearing, being thus Qualified, The Governo^{r} said: Gentl., I desire you to goe together & choose yo^{r} Speaker, & present him to mee to-morrow morning att ten of the Clock.

Adjourned to 27th instant.

[27th Octob^{r}, 1696.

Att a Council Held att philadelphia die Martis, 27th October, 1696.

PRESENT:

WM. MARKHAM, Esq^{r}. &c. et ysdem ut supra.

Cornelius Empson & Wm. Rodeney, from the assembly, told the Governo^{r} that they wer readie to waite upon him; Who answered that hee & Council had expected them a Long time, & desired they might come. Who accordinglie came, and presented John Simcocke for their Speaker; Who having disabled himself, Hee desired the Governo^{r} to Command the assembly to choose another in respect he was antient, & that there wer more fitt psons for that trust than hee among the Representatives. To whom the Governo^{r} answerd, that hee was well satisfied in the choice.

Then the Governo^{r} said: Gent., The effectuall Consideraon of her Late matjes Letter was the chief occasion of my calling the last Council & assembly, and seeing att that time nothing was done to ans^{r} the same, and that the Quota of men, &c. therein exprest to be given by this province to Newyorke, Hath been often demanded of us by Governo^{r} ffletcher, Therfore, I propose it to you now as the first thing to be Considred. The second thing I Recomend to yor Consideraon is the Securitie & defense of this province & territories, & that the rather, because when his matie was pleased to restore Mr penn to his governmt, Hee gave his Matie good assurance that hee wold take care of the governmt of the same, & would provide for the saftie & securitie therof all that in him Lay; To Inforce both which, the Gor desired the Secrie to read his matjes Lres patents under the great seal of England, restoring Mr penn to his governmt & her Late matjes Letter: which hee did, & delivred Copies of both to the assembly for their greater ease & satisfaction

Adjourned to 28th instant.

[28th Octobr, 1696.

Att a Council Held att philadelphia die Mercury, 28th October, 1696.

PRESENT:

WILLIAM MARKHAM, Esqr, Governor &c. et ysdem ut supra, except Jno Donaldson—sick att philad.

The Governor told the Council that Hee had received His Excellie Gor ffletcher's speech to the assembly of newyorke, dated 16th instant, which had some relaon to the first thing by him recommended to the assembly, viz: The Consideraon of the Late Queen's Lettr for the Quota to be sent by this province to Newyork, and askt the advice of the Council, whether to Lay it before the Assembly. The Council advised him to lay it before them.

Adjourned to 3 post meridiem.

POST MERID.

Att a Council Held att philadelphia, Hora tertia post meridiem.

PRESENT:

WM. MARKHAM, Esqr. Governor, &c.,et ysdem ut antea, except ut antea.

The Governor Ordered Wm. Clarke & pat. Robinson to acquaint the Assembly to attend him forthwith, which they two accordinglie performed, & told the Governor they wold wait upon him. Mr Speaker & the members of Assembly appearing,

The Gor said: "Gentl, You may Remember that the 27th instant "I recomended to you the effectual Consideraon of the late Queen's "Lettr, & his Excellie the Gor of newyorke, his demands of the Quoto "therin mentioned, to be sent for the assistance of newyork from this "province. Since which, I have received the sd Gor ffletcher's speech "to the assembly of newyorke, dated the 16th instant, which had some "relation to that matter, which I give you, that thereby you may "see the pressures of that province, & the great occasion they Have "of men & monie, & of food & rayment, to be given to those nations "of Indians that Have Latelie suffered extreamlie by the French, "which is a fair opportunitie for you (y^t for Conscience cannot Con- "tribute to warr) to raise monie for that occasion, be it und^r the "Colour of support of governm^t, or of reliefe of those Indians, or "what else you may call it. The Speaker said they wold Consider "of it."

Adjourned to 30^th instant.

[30^th Octob^r, 1696.

Att a Council Held att philadelphia die Veneris, 30^th Octob^r, 1696.

PRESENT:

WM. MARKHAM, Esq^r, Governo^r, &c.

Edward Shippen, Jn^o Brinckloe, John Hill, &
Antho. Morris, Wm. Clark, pat. Robinson.
David Lloyd,

The Go^r acquainted the Council that yesterday Hee had received a Lett^r from his Excelly Go^r ffletcher, of Newyork, demanding the Quota assigned for this province & newcastle; which hee caused the Secrie to read, and then ask the advice of the Council, whether to send for the assembly & comunicate the same to them. The Council advised him so to do.

Ordered, that John Hill & Jn^o Brinckloe acquaint the assembly to attend y^e Go^r forthwith, Who reported that the Assembly wold wait upon him speedilie.

Then the assembly desired admittance, and wer accordingly admitted.

Then the Governo^r said: "M^r Speaker & you Gentl. of the assem- "bly, you are a verie silent & close Assembly, which I believe pro- "ceeds from some jealousies you may have that I intend to take away "yo^r Charter. M^r Goodson relinquished his assistanceshipp to me, "that Arthur Cook might take it up, by presenting to mee a Comis- "sion from the proprietor to me, which hee had keept hid from mee "these 18 mo's past, & w^ch authorized me to act according to Law & "Charter, & by another to Sam^ll Jennings & Arthur Cook, to be my "assistants, which they also keept hid from mee the Like time. "Gentl, After the proprietor had his Governm^t restored to him, I was "of opinion that his Charter to you was in force, and I then called "you together according to it, (except in the day,) & endeavored to "putt the governm^t in that frame it was in before it was taken from "him, & no man more asserted the powers of the Charter than I did, "and am still readie to doe; But the then Representatives wer of "opinion that it Could not be Reassumed but by a Legislative authoritie, "which was a thing of too great moment for mee to have done "wtout advice from the proprietor, who gave the Charter; and since "att that time you owned not yo'selves to a provincial Charteral "Councill, It was then in my power to dissolve you, which I did. "Gentl, no man ever heard mee say that the Charter was void, & "no man stood more for the defence of it than myself. And had "that Comission which Mr Cook now presents to mee from the proprietor, which authorizes mee to act by Law & Charter, been the first "presented to mee, I could not even by it, have acted more Charterallie than I did by that by which I then & now act, which authorizes mee to act according to the Laws & Usages. And since you "say that the Charter cannot be put into act & motion wtout a Legislative authoritie, If I had power or Instructions from the proprietor "to doe it I wold most willinglie; But yet for all that, care must be "taken ffor the governmt, and if by Charter I can doe nothing by the "king's Letters patents, I must, seeing the emergencie of affairs, call "for it with all dispatch. Gentl, If there be any thing you wold "have me do that may secure anie right or claime you have in Law "or equitie to that Charter, or anie part of it, (besids putting it in "force wtout the proprietor,) I'le offerr that nothing you doe this "sessions shall be any manner of way prejudicial to yor claime or "right to the same.

"Gentl, Its above 12 mo's since I called an Assembly, & indeed "I was backward to call one, knowing how fond you wer of the "Charter, Hoping to Have Heard from the proprietor; but now the "emergencies being such that I could no Longer delay the calling "you, I have now called you according to the king's Lres patents to "Mr penn, & as neer as I can according to the Customs of the nighbouring provinces. Gentl, yesterday I received a Lettr from his "Excellie Gor ffletcher, demanding or Quota, &c." Which the Gor ordered the Secrie to read, wch was done, & delivred to the assemblie for their Consideraon.

Then the Speaker of the Assemblie presented to the Governor a paper of this tenor, viz:

"To the Governor & Council. Wheras, the Gor has been pleased "to conveen us by his writts, tho' not in the form of Charter, as wee "could desire, Wee have obeyed the same & considred what he has "laid before us, Viz: an ansr to the Late Queen's Letter, & or proprietor's promise upon his restoration to his governt, And wee are "heartilie & Unanimouslie willing & ready to perform or duties "therein so farr as in us Lyes, If the Gor wold be pleased to settle "us in or former Constituon enjoyed by us before this governt was "comitted to Gor ffletcher's trust. Signed by order of the assemblie.

JOHN SIMCOCKE, Speaker."

Then the Gor said: "Gentl., What I have said to you but now "Contains a sufficient ansr to this message, Soe I need not repeat it "again. And Gentl, you may make what Salvo you please to secure "your Charter, so that nothing that shall now be done shall prejudice "your right & claime to it, and Ile consent to it, but I cannot give it "you for want of power."

Adjourned to 4 post meridiem.

POST MERIDIEM.

Att a Council Held att philadelphia Hora Quarta, post meridiem.

PRESENT:

WILLIAM MARKHAM, Esqr. Governor, &c. et ysdem ut supra.

Two members from the assembly acquainted the Governor that the assemblie desired a Conference with some of the members of Council, Wherupon the Gor appointed Wm. Clark, David Loyd, John Hill & pat. Robinson, to join a Comittee of the assemblie, In order to Consider what expedient they may find outt to secure to the people their Charter, Liberties & priviledges, if the assemblie will att this time raise monie to ansr the Queen's Letter for the assistance of newyorke, and to meet to-morrow morning.

Adjourned to 31st instant.

[31st Octobr, 1696.

Att a Council Held att philadelphia Die Saturni, 31st Octobr, 1696.

PRESENT:

WM. MARKHAM, Esqr., Governor, &c., et ysdem ut Supra.

William Clarke (who was Chairman of the sd Comittee) made report to the Governor & Council in writting, viz: att a Comittee held att philadelphia the 31st instant: psent for ye Council W. Clark, David Lloyd, Jno Hill & pat. Robinson; for the assemblie, Cornelius Empson, Wm. Biles, Samll Richardson, Wm. Rodeney, Caleb pussey, Jno Miers, Jno Blunston, Samll Carpenter. The matter Comitted to Consideraon being, what may be the best expedient to ansr the Queen's Letter & preserve the people's priviledges Considering the Governor's ansr to the assemblie yesterday.

After a full Consideraon & debate therupon, It is the Opinion of the Comittee that money may be raised to ansr the Queen's Lres, with this proviso: That the Gor, att the request of ye assembly, will be pleased to pass an act with a salvo to the proprietor & the people, and that hee will also Issue outt his writts for choosing a full number of repsentatives on the tenth day of the first mo. next, To serve in provinciall Councill & assemblie, according to Charter, untill the proprietor's pleasure be known therein, and if the proprietor shall disapprove of the same, that then such act shall be void & no wise prejudicial to him nor the people, In relation to the validitie or Invaliditie of the Charter. And ye sd Wm. Clark further Reported, that the Assemblie have Caried the sd report to the assemblie for their acquiescence to the same.

Then the Gor desired pat. Robinson to acquaint the assemblie that the Governor waits for them, who returned that they wold wait upon him speedily.

The assemblie appearing, Mr Speaker presented to the Governor the said Report, with this addition, viz: The assembly having approved of this report, Humbly request the Governo^r to Consider the same and Concurr therein. Signed in behalf of the assembly, y^e 31st day of the 8th mo., 1696. JN^o SIMCOCKE, Speaker.

Adjourned to 3^d Novemb^r, 1696.

[3^d Novemb^r, 1696.

Att a Council Held att philadelphia Die Martis, 3^d Nov^r, 1696.

PRESENT:

WILLIAM MARKHAM, Esq^r, Governo^r.

Edward Shippen,	Jasper Yeates,	John Hill,
Anthony Morris,	John Brinkloe,	pat. Robinson.
David Lloyd,	Wm. Clarke,	

The Governor said: Gentl, I here propose to you a frame of governm^t much the same w^t the Charter, but with some emendaons & alteraons, which I think to present to y^e assembly, & yrfore desired Jn^o Hill & Jn^o Brinckloe to acquaint them that hee waits for them who return that they will wait on him forthwith.

The assemblie appearing, The Go^r said: M^r Speaker & you Gentl. of assemblie, I have Considered the Report of the Comittee & yor acquiescence w^t it, have drawn up some heads of a frame of governm^t with some emendations & alteraons from y^e Charter, w^{ch} I give you, & desire you to Consider of it & draw it up into a bill, & then I will Consider whether to pass it into an act or not.

Adjourned to 7th 9b^r, 1696.

[7th Novemb^r, 1696.

Att a Council Held att philadelphia Die Saturni, 7th Novemb^r, 1696.

PRESENT:

WM. MARKHAM Esq^r, Governo^r, &c., et ysdem ut supra, except Jasper Yeates.

The Go^r desired pat. Robinson & Jn^o Brinckloe to acquaint the assemblie that hee and Council doe wait for ym, who returned y^t y^e assembly wold wait on him in a verie short time.

The Assemblie appearing, The Speaker presented to the Go^r five bills which had past their house. The Governor told ym that hee would cause them to be read & Considred.

Then the Go^r desired the Secrie to read the first bill, which hee did; & ordered the following title to be prefixed to it, viz: The frame of the governm^t of y^e province of pennsilvania & Territories yrunto belonging. As also, ordered the two Interlineations in page 2^d to be delet. And in page 3^d, instead of the words (three years,) to insert the words (Two years;) and in page 8th, after the words (relating to the peace,) to insert the word (saftie.)

Then the Go^r desired the Secrie to read the second bill, entitled an act for raising One penny per pound, &c. which hee did, and ordered in page 4th the words (support of goverm^t and) to be delet; and ordered the Secrie to Cary them back to y^e assembly with the sd amendments, for their perusal.

Adjourned to 2 post meridiem.

POST MERID.

Att a Council held att philadelphia eodiem die, post merid.

PRESENT:

WM. MARKHAM, Esq^r. Governo^r, &c. et ysdem ut supra, except ut supra.

The Go^r desired y^e Secrie to read y^e 3^d bill, entitled an act how to raise Countie Levies, which was approved of. As also the 4th bill, entitled an act for preventing of Hoggs, &c. Running att Large in the town of Chester, wch was approved of. As also y^e 5th bill, entitled An act for preventing of accidents that may happen by fire in the towns of philadelphia & newcastle, wch was approved of.

Then the Go^r desired Jn^o Hill to acquaint the assemblie y^t he waited for ym forthwith.

The assembly appeared & psented to y^e Go^r the first two bills wch they past in their house, wt the amendments proposed. Then the Go^r Caused y^e Secrie read over everie one of y^e sd five bills three times, & to under writ each bill in these words, viz: philad. y^e 7th day of 9br. 1696, this bill being three times read, was assented to by y^e Go^r & Council, and then hee did pass ym all, one after another, by affixing yrto his hand & Seal of y^e province.

Then y^e Go^r ask't y^e assembly whether they had prepared any other bills for his assent. Who ansred no. Then the Go^r said: Gentl, I doe dissolve you, & you are hereby dissolved.

The end of the 4th Sessions of Council & Assembly.

[PHILADELPHIA 13th May, 1697.

Att a Councill Held att philadelphia die Jovis, 13th May, 1697, post merid.

PRESENT:

WM. MARKHAM, Esqr, Governor under Wm. Penn, absolute proprietarie of ye province of pennsilvania and the Territories thereunto belonging.

Samll Carpenter,
Edward Shippen,
Joseph Growdon,
phineas pemberton,
John Simcocke,
Caleb pussey,
peter Alriches,
Richd Halliwell,
John Curtis,
Wm. Clark,
Jno. Hill,
pat. Robinson, Secry.

Upon Reading ye petition of peter Gronendyke, desiring an appeal to the next provincial Court, &c., & full debate yron, It being by the Governor put to the vote whether the sd petion ought to be granted; It was caried in ye negative, nemine contradicente.

Adjourned to 15th May instant.

[15th May, 1697.

Att a Council Held att philadelphia die Sabbatti, A. M. 15th May, 1697.

PRESENT:

WM. MARKHAM, Governor, undr Wm. Penn, &c., et ysdem ut antea, except peter Alriches.

Samll Atkins petion agt Edmond Dutton, Requesting the Governor & Council again to order ye said Dutton to receive from him ye 12lb. yrin mentned & charges, that hee may be eased from His Unreasonable demands & vexatious proceedings, & that his estate may not be any longer Incumbred & may have Libertie to Leass or sell ye same, was read.

Ordered, That the Secrie give the sd Edmond Dutton a Copie of the sd petion, and that Hee be summoned to appear befor the Governor & Council, To make answer to the same.

Adjourned to ye 20th May instant.

[20th May, 1697.

Att a Council Held att philadelphia die Jovis, A. M. 20th May, 1697.

PRESENT:

WM. MARKHAM, esq. Governor undr Wm. penn, &c., et ysdem ut antea, except ut supra.

The petion of Robt Chinton, Edmund Lassey & peter Clauson being read, setting forth That they wer Comitted Closs prisoners for suspition of piracie & felonie, wherof they wer not guiltie, & yrfor desired Releasment, or that bail might be taken for their appearance.

Ordered, that Robt. Snead appear before the Governoʳ & Council to-morrow morning, & bring with him his Informaon agᵗ the petitioners.

Upon reading the petion of yᵉ Repsentatives for the Countie of kent, Setting forth THat Richard Willson & Wm. Morton, to whom the care of purchasing a piece of Land & building a Court-house for yᵉ sd Countie att the Head of Jones's Creek, was by the grand Jurie of the said Countie Committed, who have purchased the Land, but denie to be anie further concerned yrin; And therfore, desiring that some other persons that are willing to Compleat such a building, may be appointed, And that the sd Richard Willson & Wm. Morton, Render a just accompt of what they have Received, and how they have disposed the same, &c.

Ordered, THat the next Countie Court for the said Countie doe appoint two other psons to build the said House, and that the sd Willson & Morton do forthwith accompt with & pay to the said Court, in behalf of yᵉ Countie, what they have received; And if they Refuse, that the sd Countie Court doe make Return of their Contempt to the Governoʳ and Council.

Adjourned to the 21ˢᵗ instant.

[21ˢᵗ May, 1697.

Att a Council Held att philadelphia Die Veneris, A. M. 21ˢᵗ May, 1697.

PRESENT:

WM. MARKHAM, esqʳ., Governoʳ under Wm. penn, &c., et ysdem ut antea, Except peter Alriches.

Robert Snead appeared before yᵉ Governoʳ & Councill, who ask't him for his Informaon agt Robt. Chinton, &c. Hee answered that hee had no Informaon nor the proclamaon, but said that hee had sent for yᵉ proclamaon agᵗ Averie als. Bridgman, and that hee wold no otherwise prosecute the sd Robᵗ Chinton then as a justice of the peace, & that the attornie generall would prosecute, & yᵗ when the petioners Came to their triall, Hee would exhibit an Informaon agᵗ ym.

The petion of the Repsentatives for Bucks Countie being read, Setting forth their want of a Convenient Roade from yᵉ Countie of Bucks to philadelphia, & a roade to the ferry att dunken Williams', In manner yrin mentioned, And yrfor Requesting the sd roads to be Laid outt accordinglie; Ordered, That the sd Roads be Laid outt with the Consent of yᵉ nighbourhood, And that a warrantt be directed to phineas pemberton, Surveyoʳ for Laying outt the same accordinglie.

Upon reading the petion of Mary keys, widdow, Relict & adm'rix of Richard keys, deceased, setting forth That his psonal estate amounts but to 142lb. 15s. as p. Inventarie, and that shee stands Indebted to severall persons in y^e sum of 191lb. 7s. that is alreadie Come to Her knowledge, and fears more debts yet unknown may come upon her, & finds no bodie indebted to her; Wherby it appears that the sd movable estate will not by farr amount to the paymt of her debts that already appear, farr Less to educate & maintain her & her two poor children: And yrfor Requesting the Governo^r and Councill to allow & permitt the petion^r att present to make sale of such part or parts of the real estate as they shall see meet, Towards y^e defraying of such just debts, the educaon of her children, Her owne support, & the better Improvment of y^e Remaind^r of the sd estate to their advantage, According to the Laws and Customs of this province.

Ordered, That Wm. Clarke & Edward Shippen Inspect & examin the within petition and the truth of the allegaons yrof, & make Report to this board y^e 22^d instant.

Adjourned to 22^d instant, Hora 9 A. M.

[22^d May, 1697.

Att a Council Held att philadelphia Die Sabatti, A. M. 22^d May, 1697.

PRESENT:

WILLIAM MARKHAM, esq^r, Governo^r, &c., und^r Wm. penn, et ysdem ut antea, except ut supra.

William Clark & Edward Shippen, to whom the inspection and examinaon of the petition of Marie keys, & of the truth of the allegaons yrof, was Comitted, made Report to the Governo^r & Council, that they have examined the allegaons of the sd petition^r, & do find that shee is Considerably indebted more than the movable estate will defray.

Ordered, That the sd Marie keys be allowed & permitted, and is hereby by the Governo^r & Council, allowed, permitted, authorized & Impowered for y^e-present, to make Seal & Conveyance to any persons whatsoever, of the brick house in the Second street in the town of philadelphia, with the Lott of Land & apptenances thereof, & to them & their Heirs & assigns forever, towards the defraying of her & Her sd deced Husband's just debts; The educaon & maintainance of her two children, her own support, & the better Improvment of y^e Remainder of the sd estate to their advantage, according to the Laws & Customs of the said province. To Hold to the said purchasers, & their Heirs & assigns, & to the use and behoof of the sd pchasers, their Heirs & assigns in fee simple, & estate of Inheritance for ever, &c.

According to a former order from the Governo^r^ & Council y^e^ 15^th^ May instant, Edmond Dutton appeared, & being heard to answer the petition of Sam^ll^ Atkins, exhibited ag^t^ him the said day, and being ask't why he did not accept of y^e^ 12lb. when it was tendered to him by y^e^ sd Sam^ll^ Atkins, according to an ord^r^ of this board the 31^st^ of Octob^r^, 1696. The sd Edmond made answer that the sd Sam^ll^ never made anie such tender, & if hee had, Hee declared that hee never did nor wold accept of y^e^ same. And Sam^ll^ Atkins Having produced to the Governo^r^ & Council sufficient prooff of the said tender, (according to the sd former order,) before the Countie Court & att this board, both by writting, & by the knowledge of some of y^e^ members of Councill,

It was ordered, THat the sd Sam^ll^ Atkins doe att the next Countie Court of philadelphia, Consign, deposit & pay the sd sum of 12lb., with all the Legall charges that Have accrued upon the suits upon the bonds of arbitraon, both att the Countie & provinciall Courts, into the hands of Jn^o^ Claypoole, sheriff of y^e^ sd Countie, for the use of the said Edmund Dutton, and that the same so Consigned, deposited & paid, be in full satisfaction to the said Edmund, of all sum & sums of monie due by the sd Sam^ll^ Atkins to the sd Edmund Dutton, by reason of the sd arbitration, bond, Judgmt & execuon following therupon; And that after the said Consignment is made, THat an order from the Governo^r^, und^r^ his hand & seal of the province, be directed to the Sheriff of philadelphia, Comanding Him to make Restitution to the said Sam^ll^ Atkins, of all goods, chattels, houses, Tenements, Lotts and Lands, which be has taken in execuon upon the said Judgment, becaus the said execuon did Improvidentlie Issue forth.

Upon Reading the petion of Ann Collins ag^t^ Jn^o^ Crapp, Chirurgeon, his severe treatment of her, Jn^o^ Crapp appeared & produced a warrant, und^r^ y^e^ Hand & Seal of a Justice of y^e^ peace, Comanding him to take her Into His particular charge, to be cured of her madness, & declared that hee used her as a patient in that Condion. Ordered y^t^ y^e^ petitioner & her complaint be & is referred to the justices of y^e^ peace of y^e^ Countie of philadelphia, for relief.

Adjourned to y 24^th^ instant, hora 9 A. M.

[24^th^ May, 1697.

Att a Council Held at philadelphia die Lunæ, A. M. 24^th^ May, 1697.

PRESENT:

WM. MARKHAM, esq^r^., Governo^r^ Under Wm. penn, &c. et ysdem ut antea, except ut supra.

Upon Reading the petion of Edward Antill, Setting forth the reasons offered by him ag^t^ a Judgm^t^ obtained in a provincial Court held for y^e^ Countie of Bucks, y^e^ 15^th^ of April, 1695, wherin Gilbert

Wheeler was appellant, & by which Judgm^t the petitioner alledges hee had wrong done him, & y^{r}for desiring from the Go^r & Council such Relief as they shall think most most just & equitable, both in Law & Conscience, or grant him an appeal for England, as y^e Law directs.

After some debate yron, It was by the Go^r put to y^e vote, whether y^e sd Edward Antill's Case, & y^e Judgm^t given by y^e provincial Judges in the Last Court of equitie in the Countie of Bucks, should be Reheard in y^e next provincial Court in equitie for y^e sd Countie. It was Carried in the affirmative, nemine Contradicente.

Ordered, That the said Case & Judgment be Reheard in the next provincial Court in equitie for y^e sd Countie of Bucks, by y^e Judges to be appointed for y^e said Court.

Upon Reading the petion of Tho. Curtis, messinger of the Council for y^e Last year, and this ss., desiring paym^t, Ordered that the Go^r Issue his warrant to the Receiver, James Fox, to pay the petition^r 5lb. 10s. In the order as the act for Assessment in 1696 prescribes.

Upon Reading the petion of sundrie mer^{ts} of philadelphia, about the naval officers' fees, The same was Recomended to y^e Consideraon of the assemblie for ascertaining y^e sd fees.

The Speaker of the assemblie presented to the Go^r & Council a Bill of Charges for their house rent, Clerk & messinger's fees, amounting to

Ordered that the Go^r Issue his warrantt to the Receiver, James Fox, to pay the sd bill, in y^e Order as the Law for y^e sd assessment in 1696 prescribes.

Att & Upon the Request of patrick Robinson, Secrie, that the accot of his services done for y^e publick from the 7th day of 9br. 1696, to the Rysing of this sessions of Council and assemblie, be made up & paym^t made him accordinglie.

Ordered, that the sd pat. Robinson's accot of his Services done for y^e publick from the sd 7th day of 9br. to the rysing of this ss. of Council & assembly, be made up at the next meetting of Council, and paym^t ordered him outt of the provincial stock, as soon as it is or can be raised.

Adjourned to y^e 10th of June, to the House of phinehas pemberton, in Bucks Countie.

10th June, 1697.

Att a Council Held att the House of phineas pemberton, 10th June, 1697.

WM. MARKHAM Esq^r. Governo^r under Wm. penn, &c.

Sam^{ll} Carpenter,	Caleb pussey,
Joseph Growdon,	phineas pemberton.

Upon Reading the petion of the Inhabitants & owners of Lands within the Countie of Bucks, but more especiallie within the Township of Bucks, Setting forth that from the arrival of the English here, divers adventurers settled in that part of the province which was afterwards made into a Countie by the Go^{r} & Council, who did appoint its Limitts & called it by the name of Bucks, and that the sd Countie has had no market town; And that severalls in the said Countie have Considered of a place for a market town, viz: att the ferry agt Burlington, within the sd township of Buckingham, and that the sd psons have projected the same Into ways & streetts, Having regard to the divisions of divers men's Land by the sd streetts in the sd town as now Laid down; And yrfore Requesting the Governo^{r} and Council to take it into their Consideraon, & if they approve the sd place, then to modell the sd streets wherin they are not agreeable to their minds, and where they are to approve ym; as also to grant ym a market there weeklie; as also to grant ym the Libertie of wharfing & building to a Convenient distance Into the river & Creek; As also that everie street and opening towards the river & Creek may be allowed to be a publick Landing; As also that the buildings on the banck may be so regulated as ther may be a street under the bank, both to the river & creek, and that the major part of owners of Lands there may have power to appoint two or more psons to see that the sd regulation be observed & keept without anie encroachment; as also that they may have an officer Licensed to Seal all Liquid & dry measures.

The which request being by the Governo^{r} & Council verie reasonable, It was Resolved that a town be there erected, and the ways & streets to be according to y^{e} model y^{n} agreed upon.

Ordered, that a fair draught be made (according to the said modell) by phineas pemberton, Surveyor of y^{e} ways & streets, & their several names & bearings, to be further Confirmed by the Governo^{r} and Council.

Ordered, That Jn^{o} White be licensed to have a seal to seal Liquid and dry measures, according to the sd petion.

Ordered, that a Road be Laid outt from the passage over portquessing Creek to Neshamine Creek, att Joseph Growdon's Landing, in the Land hee Latelie bought of Thomas ffairman, & from thence to Buckingham, and thence to Joseph Chorley's house, and thence to the River side; and that a ferrie be settled att the aforesaid place att Neshaminee, and another over delaware, agt the house or Lane of the sd Joseph Chorley, where the road shall be Laid outt.

Ordered, That a bridge in the road over portquessing Creek, be forthwith made new by the Countie of philadelphia & Bucks, att their equall charge.

Ordered, that the said Jos. Chorley Have License to keep the ferrie over delaware, and Jn^{o} Baldwine over Neshaminee, they giving good securitie to the proprietarie for the performance of their dutie therein.

Ordered, That Wm. Biles & phineas pemberton doe discourse the Inhabitants of West Jersie principallie concerned about Laying outt the road for Newyork that side the River, and if possible, to miss mill stone river, or to be Laid outt over it in a convenient & safe place.

[12th June, 1697.

Att a Council Held att philadelphia 12th June, 1697.

PRESENT:

WM. MARKHAM, Esqr. Governor under Wm. penn, &c.
Samll Carpenter, Caleb pussey, phineas pemberton.
Edward Shippen,

The Governor Having read a Letter from Wm. Stoughton, esqr., Governor of ye Massachusetts bay in Newengland, dated att Boston, ye 29th May, 1697, in which was inclosed a Copie of his Maties Lettr to the sd Lt. Gor, bearing date from kensington, ye 18° of March, 1696-7, Requesting him to encourage the sending of such provisions, victualls & refreshments, as may be usefull to his maties Shipps & Land forces in their expedion to New found Land, In order to the recoverie therof from the french, and the sd Wm. Stoughton's Letter, signifying to the Gor their inabilitie to ansr His maties Comands in respect to their scarcitie of provisions, thought it necessarie for His Maties Service to Comunicate ye same to the Governor, not doubting of his readines to encourage the sending of such provisions, victualls & refreshments to New found Land, as may be needful for His Maties shipps & Land forces employed upon that expedion. Resolved, That the Governor Issue his proclamaon Signifying the sd occasion, & yrin to give all encouragement Can be desired by any persons that are willing to export anie provisions, victualls or refreshments to new found Land, for the expedion aforesaid, Which hee accordinglie did ye 17th of June, 1697.

[1st October, 1697.

Att a Council Held att philadelphia the 1st of Octobr, 1697.

PRESENT:

WM. MARKHAM, esqr, Governor under Wm. Penn, &c.
Samll Carpenter, Edward Shippen, Caleb pussey,
Wm. Clark, John Simcoke, Richd. Halliwell,

Upon Reading of the petion of Elizabeth Hooton, widdow, & Elinor Whitfield, Her Servant, that they might come to a Speedy triall, upon a psentment brought agt them the Last provincial Court, about the death of Charles Goss, THe Governor putt it to the vote whether they had any thing to object agt their having a speedie triall, or his granting a Special Comission for y^e same. It was Caried in the negative, nemine Contradicente; that is, that they had nothing to object ag^t y^e same.

Ordered, That the Governo^r Issue a Special Commission for the triall of the said Elizabeth Hooton and Helinor Whitfield, her servant.

Upon Reading the petion of Robert Webb, for a Rehearing of George plater's ac'on ag^t him, att the next Countie Court, or befor the provincial Court, The said petion after full debate, was rejected.

Upon Reading the petion of Thomas Curtis, for Clerk of the market & Corder of wood, The same was granted him.

Then the Governo^r said: Gentl, I Latelie received a Letter from His Excelly Francis Nicholson, Governo^r of Marie Land, bearing date y^e 16^th of August last. I have forborne making ans^r to it, Until I had opportunitie to Comunicate y^e same to you, in ord^r to have yo^r advice therein, being equallie Concerned in it with my self: Read it. The Clark reads the direction, viz: To the Right Honble Wm. Markham, &c. att philadelphia. Then the Governo^r bid the Clerk read onlie the last paragraph, that being all that concerned ym. The Clerk reads, viz: I hear it's reported that I entered Into Sussex Countie (in which I suppose the whor-kills is) with men & horse, & broke open chests, &c., att which Report I verie much wonder; therfore, desire that you would do that piece of Justice as to send mee under yo^r hand, what you know in that affair. And I think I ought to have it also from under y^e hands of those who are of the Council of pennsilvania, &c. And if these two things are denied mee, You must all excuse mee If I esteem you all enemies to

FFR. NICHOLSON.

After some debate yrupon, It was Resolved; That seeing the sd Letter was onlie directed to Coll. Wm. Markham, & not to him as Governo^r, nor to the Council of this province; Therfor, y^e members of Council did Humbly offerr it as their opinion to the Governo^r, That they are und^r no obligation to make ans^r; But as they have hitherto done justice to all who addrest ymselves to this board for it, so they shall ever Continoue to doe the same.

PROVINCE OF PENNSILVANIA AND TERRITORIES.

Minutes of Council in the Assembly. Anno Ri. Rs. Gulielmi, Tertv nunc Angliæ, &c. Novo.

[10^th May, 1697.

Att a Council Held at philadelphia Die Lunæ, Ante meridiem, 10^th May, 1697.

PRESENT:

WM. MARKHAM, esqr., Governor under Wm. Penn, esqr., absolute proprietor of the province of pennsilvania, and the Territories thereunto belonging.

The sheriff of the Countie of philadelphia his Return of Representatives for Council was produced, whereby it appeared that ther wer elected, Samll Carpenter & Edward Shippen, who appeared.

The Sheriff of the Countie of Bucks His Return of Representatives for Council was produced, wherby it appeared that there wer elected, Joseph Growdon & phineas pemberton. The sd phineas appeared.

The Sheriff of the Countie of Chester his Return of repsentatives for Council was produced, qrby it appeared that there were elected Jno Simcocke & Caleb pussey, who appeared.

The said five repsentatives for ye sd three Counties did subscribe the declaraon of fidelitie, The profession of the xtian faith & the test, and took their places att the board.

The sheriff of the Countie of kent his Return of Repsentatives was produced, qrby it appeared that ther wer elected Griffith Jones & Jno Curtis, who appeared; But being unwilling to be Qualified at that time, they wer desired by the Governor to absent for that time.

The Sheriff of the Countie of Sussex His Return of Repsentatives was produced, qrby it appeared that ther wer elected Wm. Clark & Jno Hill. Wm Clark subscribed the declaraon, profession & Test, ut supra, & Jno Hill took the oaths appointed by act of parliamt to be taken in sted of the oaths of allegiance & Supremacie, & subt. the Test, and took their places att the board, & yn ther wer

PRESENT:

WILLIAM MARKHAM, esqr., Governor undr Wm. penn, esqr., &c.

Samll Carpenter,	John Simcocke,	Wm. Clark,
Edward Shippen,	Caleb pussey,	John Hill,
phineas pemberton,		Pat. Robinson, Secry.

Resolved, that the Governor may be pleased to Cause send by an express a warrant to the Sheriff of the Countie of Newcastle, to bring his return. Which the Governor was pleased to do undr his owne hand & Seal of ye province.

Adjourned to 2 in the afternoon.

POST MERID.

Att a Council Held att philad: die Lunæ, post meridiem, 10th May, 1697.

PRESENT:

WM. MARKHAM, Governor, &c., et ysdem ut antea, &c.

The Sheriff of the Countie of philadelphia his return of Repsentatives for assemblie was produced, qrby it appeared that there wer elected Samll Richardson, James Fox, Robert Owen and Nicholas Walln, who appeared.

The Sheriff of the Countie of Bucks His Return of Repsentatives for Assembly was produced, whereby it appeared that ther wer elected Joshua Hoops, Stephen Beakes, Richard Hough and Jeremiah Langhorne, Who appeared; And those eight did subscribe the declaraon & profession, and the Test.

The Sheriff of the Countie of Chester His Return of Repsentatives in Assemblie was produced, qrby it appeared that ther wer elected Jnº Blunston, Bartholomew Coppock, Jnº Worth & Jonathan Hays, who appeared & subt. the sd declaraon, profession & the test, ut supra.

The Sheriff of the Countie of kent his Return of Repsentatives in Assemblie was produced, qrby it appeared that ther were elected Jnº Walker, Samll Burberry & Jnº Bradshaw, Who appeared.

The Sheriff of the Countie of Sussex His Return of Repsentatives in Assemblie was produced, whereby it appeared that there were elected Luke Watson, Tho. Oldman, (Thomos fisher absent,) and Nehemiah Field, Who appeared.

The sd Samll Burberrie & Tho. Oldman subt. ye sd declaraon & profession, & took the test; The other seven took ye sd oaths & test.

All which members of Assemblie yt wer returned & appeared being thus qualified as above, The Governor said: Gentl, I desire you to goe together & choose yor Speaker, & present him to mee to morrow morning att Nine of the Clock.

Adjourned to ye 11th instant, Hora 9 A. M.

[yth May, 1697.

Att a Council Held att philadelphia Die Martis, A. M. ye 11th May, 1697.

PRESENT:

WM. MARKHAM, esqr. Governor undr Wm. Penn, &c. et ysdem ut Supra.

James Fox & Jnº Bradshaw two of the Repsentatives for Assembly, acquainted the Governor & Council yt ye Repsentatives wer not willing to Choose their Speaker untill the Sheriff of ye Countie of Newcastle his Return was made & their Repsentatives qualified.

Adjourned till 12th instant, hora 9 A. M.

[12th May, 1697.

Att a Council Held att philadelphia die Mercury, A. M. 12th May, 1697.

PRESENT:

WM. MARKHAM, esqr., Governor undr Wm. Penn, &c., et ysdem ut antea.

Joseph Growdon appeared & subt. the sd profession & declaration,

& the test, and took His place att the board. The Sheriff of the Countie of Newcastle His return of Repsentatives for Council was produced, whereby it appeared y^t there were elected for Council peter Alriches & Richard Halliwell, who appeared & took y^e sd Oathes & the Test: And for Assembly Cornelius Empson, Benj. Gumbly, Jn^o Richardson & Jn^o Buckley, who appeared & subt. y^e above declaraon, profession & test. Then the sd peter Alriches & Richard Halliwell took their places att the board.

Ordered, that Jn^o Curtis, returned a repsentative for Council for y Countie of kent, be sent for. Who having Come, the Governo^r said that hee hoped Hee was now willing to be Qualified. The said Jn^o Curtis ansred, that the Sheriff of y^e Countie of Newcastle his Return of Repsentatives being Come, & they being Qualified, Hee was also willing to be Qualified; Who accordinglie subt. y^e sd declaration, profession & Test, & took his place at the board. And then wer

PRESENT:

Sam^{ll} Carpenter,
Edward Shippen,
Joseph Growdon,
phineas pemberton,
John Simcocke,
Caleb pussey,
peter Alriches,
Richd Halliwell,
John Curtis,
Wm. Clark,
Jn^o Hill,
Pat. Robinson, Secry.

Cornelius Empson & Luke Watson, from the Repsentatives of the Assemblie, acquainted the Governo^r that they were readie to wait upon him. The Go^r returned y^t hee & Council tarryed for them.

Then John Blunston, accompanied by all y^e repsentatives for y^e province & territories, presented himself to the Governo^r, acquainting him y^t y^e repsentatives there psent had chosen Him for y^r Speaker. Who, after hee had disabled himself by telling y^e Go^r that it was a burden too great for him, & yrfor desired wold be pleased to bear with his weakness, as being unacquainted with such affairs. Then y^e Go^r said: Sir, you are their Speaker, & I verie well approve of their choice, & its all o^r duties to bear with one another's weaknesses, the best of us all being but inexpert in manie things relating to those affairs.

Then the Governo^r addressing himself to the repsentatives said: Gentl, & you M^r Speaker, "You are att this time mett together, not "by virtue of anie writt nor call of mine, but by virtue of a Law made "by yo^{r}selves, or by yo^r repsentatives Last Sessions, & y^{r}for I have "the Less to say to you. I recomend to yo^r Consideraon a Letter "which I latelie received from his Excelly Benj^a Fletcher, Go^r of "Newyork."

Then y^e Governo^r desired y^e Secrie to read his Letter to him, bearing date y^e 4th of May, 1697, wherin his Excelly tells him y^t Last year they sent in 300lb. pennsilvania monie, which was expended in Contingencies to feed & cloathe y^e Indians, for which hee Returns thanks in behalf of y^t province. Hee farther says: you know what orders I have for applying for assistance, & upon what condions y^e goverm^t was restored to yo^r proprietor: yo^r Quota is 80 men, &

the charge for one year will amount to 2000lb. & upwards; that there is now 50 men wanting to Compleat the number of forces I design to be att Albanie, of which I do apply to you for 25 men, or a proportionable sum of monie, to ansr other charges wt ye Indians, & of procuring those men: and then ye Governor gave it to Mr Speaker for ye Assemblie's Consideration.

Cornelius Empson & Samll Richardson, two members of ye house of repsentatives, acquainted ye Governor & Council yt yr house Requested ye Governor to appoint a Comittee of Council to join a Comittee of ye Assembly, to Consider of ye sd Lettr. To whom ye Gor made ansr that hee would.

The Governor appointed Samll Carpenter, phineas pemberton, Caleb pussey, Richard Halliwell, Jno Curtis & Wm. Clark, (being one outt of each County,) a Comittee of Council to join a Comittee of the Assemblie in ye Assemblies room, to Consider of ye sd Lettr at 3 p. m. & to make report to ye Gor & Council to-morrow morning.

Adjourned to 13th instant, hora 9 A. M.

[13th May, 1697.

Att a Council Held att philadelphia die Jovis, 13° May, 1697.

PRESENT:

WM. MARKHAM, esqr. Governor under Wm. Penn, &c., et ysdem ut supra.

The day before ye Gor having sent for Griffith Jones to appear att Council, as being Returned a repsentative for Council for kent Countie, Hee this day appeared, & ye sd declaraon, profession & test being offered to him, Hee refused to be Qualified, Unles hee wer admitted upon ye old Charter.

Wm. Clark, Chairman for ye Comittee appointed to Consider of Governor ffletcher's Lettr, made ye following Report in writting, viz: Philadelphia, ye 12th of ye 3d mo., 1697. Att a Comittee Consisting of Several members of Council & Assemblie, appointed to Consider of Governor fletcher demands of a further assistance to ye Governmt of Newyork, May ye 4th, 1697; Having read his Letter, & weightilie considered ye same, wee can do no less than acknowledge his & that government's regard & Candor to us, in applying ye 300lb. which hee pleases to mention, sent from this governmt as intended, viz: to feed & cloath the distressed Indians. Onlie this wee wold desire, hee might be given further to understand, that ye sd 300lb. was about Six mo's borrowed att Interest, upon ye Credit of an act of Assemblie for raising ye same, & is not yet repaid: Therfore, Considering ye Infancie & pvertie of this governmt, which also Lyeth under other considerable debts, Wee do not find wee are capable att psent to raise any more money for yt service, which wee desire or Gor may accordinglie repsent, with or readiness to observe ye king's farther Comands, according to or religious psuasions & abilities. Signed by ordr of ye Comittee. WM. CLARKE, Chairman.

Ordered, That the secrie Carrie y^e^ sd report to y^e^ house of repsentatives for y^r^ approbation; which hee did. James Fox, one of y^e^ repsentatives for y^e^ assemblie, Returned y^e^ same Indorsed thus, viz: the within report being presented to this House, & read & Considred, was Unanimouslie approved of. Signed by Ord^r^ of y^e^ Assemblie.

JOHN BLUNSTON, Speaker.

Adjourned to 2 p. m.

POST MERIDIE.

Att a Council Held att philadelphia die Jovis, 13th May, 1697, P. M.

PRESENT:

WM. MARKHAM, esq^r^., Governo^r^ und^r^ Wm. Penn, &c., et ysdem ut antea.

The Governo^r^ Ordered the Secrie to read y^e^ Law past Anno, 1696, for raising an assessment of One pennie per pound; which hee did. Ordered that the Secrie Call James Fox, Receiver of y^e^ said tax, to appear before y^e^ Governo^r^ and Council; Who appeared. Ordered that James Fox bring in His accots to this board; which hee did. Then y^e^ Governo^r^ appointed Sam^ll^ Carpenter, phineas pemberton, Richard Halliwell, Caleb pussey, John Curtis & Wm. Clark, a Comittee to examine the said Receiver's accots of the sd Tax, & to make Report thereof to this board.

Adjourned to y^e^ 14th instant, hora 10 A. M.

[14th May, 1697.

Att a Council Held att philadelphia die Veneris, 14th May, 1697, A. M.

PRESENT:

WM. MARKHAM, esq^r^., Governo^r^ und^r^ Wm. Penn, &c., et ysdem ut antea.

Wm. Clark, Chairman of y^e^ Committee appointed to examine James Fox, receiver, his accots, & what hee had received of the said tax, made report by an accot in writting, That by his owne accot It appeared that hee had received in all 356£. 11s. 10d, & that severall of y^e^ Collectors had neither brought in the monies they had Received, nor the duplicats of their precincts, nor y^e^ names of the deficients.

Ordered that warrants be Issued from y^e^ Governo^r^, Comanding the Sheriff of Bucks Countie to sumons Jn^o^ Rowland & Francis White, Collectors of Bucks Countie, And to the Sheriff of the Countie of Newcastle, to Sumons Richard Reynolds, Tho. Wollaston, Richard Cantwell, & George Harlen, Collectors of the Countie of Newcastle: As also, to the Sheriff of the Countie of philadelphia, to Sumons Jn^o^ Carver, peter Taylor, Attwell Wilmerton, Joseph phipps, Nicholas Skull, Richard Townsend, Arnold Castle, John palmer, Joseph knight, Edward Shute, Sam^{ll} Nicholls & Robert Barrow, Collectors of the Countie of philadelphia, forthwith to appear before the Governo^{r} & Council, & to bring with ym the duplicates of y^{e} originall assessment for their sd rexive Counties, & the monies they Have received, & the names of y^{e} deficients in their respective precincts, Under y^{e} pains & penalties mentioned in the Late Law for raising the said assessment; Which was accordinglie done.

James Fox & Joshua Hoopps, from the House of Repsentatives, Requested the Go^{r} would be pleased to appoint a Comittee of Council to join a Comittee of Assembly, to Consider of the amendment of some laws, & the making of some new ones.

Ordered, That Sam^{ll} Carpenter, Joseph Growdon, Caleb pussey, Richard Halliwell, Jn^{o} Curtis & Jn^{o} Hill, be a Comittee to join a Comittee of the House of Repsentatives, to Consider as desired; And to make Report to-morrow morning.

Adjourned to 15th instant, Hora 9 A. M.

[15th May, 1697.

Att a Council Held att philadelphia die Sabbatti, A. M. 15th May, 1697.

PRESENT:

WM. MARKHAM, Esq^{r}., Governo^{r} under Wm. Penn, &c. & all y^{e} members except peter Alriches.

Joseph Growdon, Chairman of the Comittee appointed to join a Comittee of Assemblie, to Consider ut supra, made report to the Go^{r} & Council, That they had proposed severall amendments of some former laws, & some new ones to be made, Which y^{e} members of Comittee for y^{e} Council left to y^{e} Repsentatives for the assemblie to be drawn up into Laws.

James Fox & Luke Watson, from the Repsentatives of Assemblie, presented to the Go^{r} & Council an accot presented to y^{r} house by Charles Sanders & Compa, amounting to 23l. 4s. 1d., due to & expended by him by order of Tho. Lloyd & Wm. Markham, formerlie Go^{rs}, upon the Indians, & desired the Governo^{r} & Councill's advice yrupon.

After some debate, & it being found that the sd monie was due to ym for the service of y^{e} governmt, It being putt to y^{e} vote whether y^{e} sd accot should be allowed as a publick charge of y^{e} government, It was caried in y^{e} affirmative, nemine contradicente, & returned to y^{e} Assembly for y^{r} approbaon.

The petition of severall of y^{e} Inhabitants of y^{e} town & Countie of Chester & others, to the Go^{r} & Council, for an ord^{r} for building a bridge over Chester Creek, In or neer Chester-town, being read; As also another paper, Containing several reasons offered ag^{t} y^{e} sd petion, signed by several; being read & both debated, And it being by the Governo^{r} putt to the vote, whether it's more convenient that the sd petion be considered rather by a grand Comittee of both Houses than by the Go^{r} & Council, Caried in the affirmative, nemine Contradicente.

Then the Govern^{r} Resolved the Council Into a grand Comittee, to Join a Comittee of y^{e} members of Assemblie, to consider y^{e} sd petion & paper, & to make report to him & Council y^{e} 24th instant.

Adjourned to 17th instant, Hora 9 A. M.

[17th May, 1697.

Att a Council Held att philadelphia die Lunæ, A. M. 17th May, 1697.

PRESENT:

WM. MARKHAM, esq., Governo^{r} under Wm. Penn, &c., et ysdem ut antea.

David Lloyd, Co-exer. with Isaac Norris, of Thomas Lloyd, deceased, exhibited to y^{e} Go^{r} & Council a draught of a Law to enable them to sell some parts of y^{e} Real estate of y^{e} sd Tho. Lloyd, for paym^{t} of His debts. After some debate yrupon, & some amendments made yrof, it was Recomended by y^{e} Governo^{r} & Council to the house of Repsentatives for y^{e} assemblie.

John keighin, who married Sarah Griscom, the widdow, relict & exrix. of Andrew Griscom, deceased, exhibited to the Go^{r} & Council, a draught of a Law enabling them to sell some parts of the estate of the sd Andrew Griscom, for paym^{t} of his debts. After some debate yrupon, It was recomended to the House of repsentatives for y^{e} Assembly.

Cornelius Empson & Sam^{ll} Richardson psented to the Governo^{r} and Council from the house of Repsentatives, several bills for their assent.

The petion of the Representatives for the Countie of Sussex for some defence for y^{t} Countie being read, It was ordered to be considered to-morrow, p. m.

Adjourned to 18th instant, hora 9 A. M.

[18th May, 1697.

Att a Council Held att philadelphia die Martis, A. M. 18° May, 1697.

PRESENT:

WM. MARKHAM, Esq^{r}., Governo^{r} under Wm. penn, et ysdem ut supra, except pet. Alrichs & Jos. Growdon.

James Fox & Sam^ll^ Richardson, from the assemblie, presented to the Governo^r^ & Council another bill for their assent. The Sheriff of the Countie of Bucks His Return of y^e^ Sumons directed to him being read, Jn^o^ Rowland, one of the Collectors of y^e^ sd Countie, appeared & brought in the duplicate of y^e^ rate of his precinct, & declared hee had done no farther, & also declared that rather then he wold demand, collect, or strain for y^e^ sd assessment, hee wold pay the fine in the Law mentioned.

Adjourned to 2 post meridiem.

POST MERIDIEM.

Att a Council Held att philadelphia, p. m.

PRESENT:

WM. MARKHAM, Esq^r^., Go^r^, et ysdem ut antea, except peter Alrichs.

The Go^r^ did resolve the whole members of Council into a grand Comittee, to meet the whole house of repsentatives for assemblie, to be a grand Comittee of both houses, to examin what monie is brought in according to the Late act, & to Consider what may be necessarie to be done for the speedy paym^t^ of the arrears of y^e^ sd tax, & to report to-morrow morning.

Adjourned to 19^th^ instant, Hora 9, A. M.

[19^th^ May, 1697.

Att a Council Held att philadelphia die Mercury, A. M. y^e^ 19^th^ of May, 1697.

PRESENT:

WM. MARKHAM, Esq^r^., Governo^r^ und^r^ Wm. Penn, &c., et omnibus membris, except peter Alrichs.

William Clark, Chairman of y^e^ Grand Comittee of both Council & Assembly, to whom the matter of the Assessment Laid in 1696, was Comitted to be Considered, made Report in writting, viz: That Having examined y^e^ accots, found that divers Collectors have neglected to bring in their duplicats of y^e^ tax they wer rexivelie charged with in y^r^ rexive Counties, & y^e^ monies therein rated, And that it being putt to y^e^ Question whether it be necessarie to prepair a bill for the better enabling the Justices & Collectors in their rexive Counties to Collect such sums as are in arrear & Unpaid, due by y^e^ aforesaid Law, and that the sd Law be reinforced & Continued untill y^e^ same be collected, It was carried in the affirmative. And that it being also putt to y^e^ question, whether it be necessarie that the Governo^r^ & Council send to the Justices in the several Counties y^t^ are in arrear whoise collectors have not paid in the full tax charged on them, to cause the same to be Speedilie sent in to the Receiver: Caried in the affirmative.

The memorial of Andrew Hamilton being read in Council, for some encouragmt to support the post:

The petion of ye Repsentatives for the Countie of Sussex being again read, about some defence to that Countie: The petion of Tho. Herris about clerk of ye markett being read: All these wer referred to ye Consideraon of all ye members of Council & assemblie, in a grand Comittee, to meet in ye assemblies room post meridiem, & to make Report to-morrow morning.

Cornelius Empson & Jno Bradshaw brought in some more bills for the Governor's assent.

Adjourned to 20th instant, Hora 9 A. M.

[20th May, 1697.

Att a Council att philad. die Jovis, A. M. 20th May, 1697.

PRESENT:

WM. MARKHAM, Esqr., Governor Under Wm. Penn, &c., et ysdem ut antea, except peter Alrichs.

Joseph Growdon, Chairman of ye Grand Comittee appointed to Consider of Andrew Hamilton's memorial for encouragmt to support ye post; And of ye repsentatives of Sussex County's petion for some defence; And of ye petion of Tho. Herris, about Clark of the markett; made Report, That it was ye vote of ye sd Comittee that a bill be prepared for encouragment to Support ye post, both by ye publick & upon private Letters. And it was also their opinion, that a watch be keept upon Cape Henlopen in sumer time, To give notice of the appearing of anie enemie, att ye publick charge of ye governmt & that the justices of yt Countie order the same, & what sign ye sd watch shall give, And that the Last years charge, amounting to about Six pounds, be allowed as a debt of ye governmt; And yt Tho. Herris' petion was rejected.

Ordered that Samll Carpenter draw up a bill for encouragment & support of ye post office, & psent it to the House of Representatives.

The petition of the Repsentatives for the Countie of Sussex being again read in Council, and the said Report, Ordered that the Justices of the sd Countie Cause a watch to be keept on Cape Henlopen in sumer time, to give notice of the appearing of anie Enemy, att the publick Charge of the governmt, & that the sd justices Order ye same, & what sign the sd watch shall give, and that the Last year's charge, amounting to about Six pounds, be, & is hereby allowed as a debt of the governmt.

Adjourned to 22d May, 1697, p. m.

[22d May, 1697.

Att a Council Held att philadelphia die Sabbatti, 22d May, 1697. P. M.

PRESENT:

WM. MARKHAM, esqr., Governor undr Wm. penn, &c., et ysdem ut antea, Except ut antea.

The Governor desired Jno Hill & Jno Curtis to acquaint the assemblie that hee & Council do wait for them, who Returned that they wold forthwith attend him.

The assemblie appearing, Mr Speaker presented to the Governor and Council Sixteen bills which had past their house. The Governor told ym that hee would Cause ym to be read & Considered.

After Reading of all the sd bills by the Secrie, The Governor, with advice of the Council, rejected & voted outt eight of them.

The other eight being three times read, wer by the Governor and Council approved of.

The first entitled, The Law for ratifying & confirming of ye acts & proceedings of ye Assembly in 1696.

The Second entitled, The Law for the encouragment & Support of the post office.

The third entitled, The Law for the Speedie Collecting the arrears of ye assessment Laid in 1696.

The fourth entitled, The Law about Testats & Intestats estates.

The fifth entitled, The Law agt Swine Running att Large in the Countie of Bucks.

The Sixth entitled, The Law about married women having children in ye absence of yr Husbands.

The seventh entitled, The Law against Swearing.

The eight entitled, The Law for selling the Old Court house of Chester Countie; All which wer by the Governor and Council approved of.

Then the Governor desired Caleb pussey & Richard Halliwell, to acquaint the assemblie that hee waited for them forthwith.

The assemblie appearing, The Governor desired the Secrie to Read over all the said Bills; which hee did, and then underwrote each Bill in these words, viz: Philadelphia the 22d day of May, 1697. This bill being three times read, was assented to by the Governor and Council. And then the Governor past ym all one after another, by affixing thereto His Hand and Seal of the province.

Adjourned to ye 24th instant, Hora 9, A. M.

[24th May, 1697.

Att a Council Held att philadelphia die Lunæ, A. M. 24th May 1697.

PRESENT:

WM. MARKHAM, esq^{r}. Governo^{r} und^{r} Wm penn, &c. et ysdem ut antea, except ut supra.

Wm. Clark, Chairman of the grand Comittee of both Council & assembly, to whom the Consideraon of the petion of Several of the Inhabitants of the town & County of Chester & others, to the Governo^{r} & Council, for an Ord^{r} for Building a bridge over Chester Creek, in or neer Chester Town: as also of another paper, Containing several reasons offered ag^{t} the said petion, & signed by severalls, was referred, made Report: That after Reading of both the sd petion & reasons ag^{t} it, & several debates yrupon, It being by the sd Chairman putt to the vote of y^{e} sd grand Comittee, whether a Bridge should be built over the navigable part of Chester Creek, as is petitioned, It was Caried in the negative, nemine Contradicente.

Adjourned to 2 in the afternoon.

POST MERIDIEM.

Att a Council Held at Philadelphia die Lunæ, P. M. 24th May, 1697.

PRESENT:

WM. MARKHAM, Esq^{r}. Governo^{r} und^{r} Wm. Penn, &c. et ysdem ut supra, except ut antea.

The Go^{r} desired the Secrie to acquaint the House of Representatives, That Hee and the Council waited for ym; Who returned that they wold attend him forthwith.

M^{r} Speaker & the whole house of Representatives appearing, The Governo^{r} Caused the Secrie to read M^{r} Blaithwait's Letter to him about the association to be taken in this province; as also, the act of parliament, Entitled ; As also, a fair draught of the association, taken from that which M^{r} Blaithwait sent him, & desired that the Representatives both for Council & assembly, would with him sign the same. And accordinglie, the Governo^{r} & those members who wer free so to doe, signed the association in terminus, as also the Secrie; And those whois principles & religious persuasions would not allow them to sign the same in Terminus, presented to the Governo^{r} a paper which they had drawn up, entitled: A declaraon of the people called Quaker's, repsentatives in Council & assemblie for y^{e} province of Pennsilvania and territories thereunto belonging, mett att philadelphia in the 3^{d} mo. 1697, with respect of our Loyaltie to the king, & fidelitie to His Government, & in reference to the Late association.

Then the Governo^{r} askt both Council & Assemblie whether they had prepared anie other bills for his assent, or whether they had anie other bussines at this time; who answered no.

Then the Governor said: Gentl, I doe dissolve you, and you are hereby dissolved.

The End of the 5th Sessions of Council & assembly.

[9th Febry, 1697-8.

Att a Council Held att Philadelphia Die Mercury, 9th Febry, 1697-8.

PRESENT:

WM. MARKHAM, Esqr., Governor undr Wm. penn, &c.

Samll Carpenter,	John Simcocke,	Richd Halliwell,
Edwd Shippen,	Caleb pussey,	William Clark.
Joseph growden,		

The Governor exhibited to the Council a Lettr from the proprietor, directed for him, to be opened only & read in a full Council; Which being thought to be as full a Council as could be got in such a season of ye year, It was yrfor Resolved that the sd Lettr should be opened & read, which was done. The contents qrof wer as follows, verbatim, viz: "London 5th 7 m., 1697. Friends, The accusaons "of one sort, & the reports of another that are come for England "agt yor governmt, not only tend to or ruin, but disgrace. That you "wink at Scotch trade & a Dutch one too, Receiving European goods "from the Latter, as well as suffering yom, agt the Law & English "interest, to goe to the other; Also, that you do not onlie wink att but "Imbrace pirats, Shipps & men. These are yor accusaons, & one "Fra. Jones of philadelphia has Complained of them to Gor Nichol-"son, becaus it was not redrest in the governmt. The Reports are, "& a nameless Lettr is come to me besids from philadelphia, to ye "same purpose, that there is no place more overrun with wicked-"nes, Sins so very Scandalous, openly Comitted in defiance of Law "& Virtue; facts so foul, I am forbid by Comon modesty to Relate "ym. I do yrfore desire & charge you, the Gor & Council for the "time being, to issue forth some act or acts of state forthwith to sup-"press forbidden trade & piracy, & also the growth of vice & Loos-"ness, till some severer Laws be made agt ym: And I do hereby "charge that no Licence be granted to any to keep publick houses, "that do not give great securitie to keep Civil houses, & are not "known to be of a sober Conversaon, & that the Courts of Justice "in each County have the approbaon, if not Licensing of ym, In "order to prevent such acts of the Lewdness & Idleness as are too "often seen in such places; And that you take Care that Justice be "impartially done upon transgressors, that the wrath & vengeance "of God fall not upon you to blast yoʳ so very flourishing beginning. "I hasten to you as fast as yᵉ Complaints here agᵗ you will give me "leave, that make my presence now but too necessary. Let neither "base gain nor a byast affection mak you partial in these Cases, but "for my sake, yoʳ own sakes, and above all for God's sake, Let not "the poor province Longer suffer under such grievous & offensive "Imputaons; and will oblige him that loves you, prays for you, & "prays to be with you, & is with true Love yor real friend & affec-"tionate proprietary. WM. PENN."

The Contents whereof, & the Complaints yrin mentioned being strictlie inquired into, The Goʳ did appoint Samˡˡ Carpenter, Joseph Growdon & Wm. Clarke, a Comittee of Council further to peruse the sd Letter, & To inquire into the sd Complaints, & to make report yrof to the Goʳ & Council next day, by way of ansʳ to yᵉ sd Letter.

Adjourned to 10ᵗʰ instant.

10ᵗʰ Febry, 1697-8.

Att a Council Held at philad die Jovis, 10ᵗʰ Febry, 1697-8.

WM. MARKHAM, Esqʳ., Governoʳ et ysdem ut antea.

Joseph Growdon, Chairman of the Comittee appointed further to peruse the sd Letter, & strictlie to inquire into yᵉ Complaints yrin mentioned, & to report the same to the Goʳ & Council by way of ansʳ to the said Letter, this day Exhibited to the Goʳ and Council their report in writting, viz: The Comittee having perused & thoroughly Considered the proprietor's Letter, Charging the Governor & Council to suppress forbidden trade & piracie; & also the growth of vice & Loossness, &c. within this governmᵗ, doe Humblie make this Report unto the Governoʳ and Council.

First. As to the Scotch & dutch trade, wee are not privie yrto nor any of us Concerned therein, but if any such trade has been & escap't unpuneshet, It may rather be attributed to the Connivance or neglect of those officers appointed by Edward Randolph to inspect those things, or others particularly appointed in that behalf; for wee can say, that the magistrats & Courts of Justice have been ready & diligent upon all occasions to punish, suppress & discourage all illegal trade that came to their knowledge.

Secondly. As to Imbracing of pirats, &c. Wee know of none that has been entertained here, unless Chinton & Lassell, with some others of Avery's Crew, that happened for a smal time to sojourn in this place, as they did in some of the nighbouring governments; but as soon as the magistrats in Philadelphia had received but a Copie of the Lords Justice's proclamation, gott all that were here apprehended, & would have taken the Care & Charge of securing ym, untill a Legal Court had been erected for their trial, or an opportunity had presented to send ym for England; but before that Could be effected, they broke goale & made their escape to New york, where Hues & Crys wer sent after ym. And as to pirats' shipps, wee know of none Harboured or ever came in here, much Less encouraged by the Go^r or people, who as it is well known, are generally sober & industrious, & never advanced y^r estates by forbidden trade, piracie, or other ill ways, notwtstanding what is suggested by o^r enemies to the contrary.

As to the growth of vice, Wee cannot but owne as this place hath growne more populous, & the people increased, Loossnes & vice Hath also Creept in, which wee lament, altho' endeavours have been used to suppress it by the care & industry of the magistrats from time to time, offenders Having received deserved & exemplary punishments, according to Law.

As to Ordinaries, Wee are of opinion that there are too many in this governm^t, especiallie in philadelphia, wch is one great cause of the growth of vice, & makes the same more difficult to be supprest & keept under.

On the whole, Wee being at all times Heartily inclined to show o^r Loyaltie to the king, & readie obedience unto His Laws, do think it necessarie, & do yrfore make o^r request to the Go^r & Council, that an Ordinance be made, & a proclamaon do forthwith Issue from the Governo^r & Council, strictly to suppress forbidden trade & pirats, if any shall Happen; and also, the growth of vice & Loossnes within this governm^t, until some wholsome & severer Laws be made for a more effectuall remedy, and the ordinaries or Houses of entertainment be reduced to a Less number, & that all such as have not alreadie given good securitie for keeping good orders, and discharging the place according to Law, be spedilie required so to do, or otherwise to be suppressed, & for the future that the Justices in the Quarter Sessions in each Countie may have the approbaon, if not the Licensing Ordinarie keepers throughout the government.

The which report being read in Council, It was put to the vote by the Go^r, Whether they approved yrof, & whether they esteemed it to be a proper ans^r to the sd Lett^r. It was Caried in the affirmative, N. C.

Then the Go^r did Reselve the whole members of Council Into a grand Co$\bar{m}$ittee, to draw up a proclamaon to suppress forbidden trade & unlaw^{ll} piracie, the growth of vice & Loossness, & to regulate & reduce the ordinaries, untill severer Laws can be made ag^t such enormities, & to bring in their report & a draught of a proclamaon to the Go^r & Council the 12th instant.

Adjourned to 12th February, 1698.

[12th February, 1697-8.

Att a Council Held att philadelphia die Sabbatti, 12th Febry, 1697-8.

PRESENT:

WM. MARKHAM, esq^{r}. Go^{r}, et ysdem ut antea, except Richard Halliwell.

Joseph Growdon, Chairman of the Comittee appointed to draw up the sd proclamaon, &c. Exhibited to the Go^{r} & Council a draught yrof; Which having been read & some amendments therein made, It was by y^{e} Go^{r} putt to the vote, whether the members of Council did approve yrof or not. It was caried in the affirmative, N. C., which was in these words:

By the Governo^{r} & Council of the province of Pennsylvania & Counties annexed: A proclamaon.

Whereas, o^{r} proprietary Hath Latelie given us to understand of sundry accusaons or Complaints ag^{t} this governm^{t}, for Conniving att illegal trade & Harbouring of pirats; as also, of the reports that are come for England about the growth of vice & Loossness here: As to the former, its evident that they are the effects of the envy & emulation of those who by such unfair & indirect means wold accomplish their designs ag^{t} this governm^{t}, for that wee are satisfied the generality of the people, merts, & Traders of this province & territories, are innocent & clear of those imputations; And this Countrie being so posited, Philadelphia is become the rode where sailors & others do frequentlie pass & repass between Virginia & New England, that it cannot be avoided but the bad as well as y^{e} good will be entertained in such an intercourse; and since Comon charity obliges us not to presume any persons guilty (especiallie of such great enormities) till by some legal probabilitie they appear so to be, and tho' wee find that the magistrats & people in general are & have been ready, & perhapps more active & Conscientious, to serve y^{e} king & his officers ag^{t} all unlaw^{ll} trade & piracy, when any such offences have by any means come to their knowledge, than anie of those nighbouring Colonies who have been so Querimonious ag^{t} us in that behalf; yet wee can do no less than psuant to our proprietarie's Comands to put all in mind of their rexive dutys, that ther may be no just cause for such Complaints. And as concerning vice, Wee also find that the magistrats have been carefull & diligent to suppress it, but their endeavours have proved sometimes Ineffectual yrin, by reason that the ordinaries or drinking houses, especiallie in Philadelphia, grew too numerous, & the keepers y^{r}of disorderlie & regardless of the tenor & obligaons of y^{r} Licenses, whereby they prove ungrateful to the Governo^{r}, and a reproach to the governm^{t}. Therfore, these are strictlie to Charge & comand all magistrats & officers whatsoever wtin this province and territories, as they regard the hono^{r} of God & their allegiance to the king, faithfully to put in execuon all the acts or Laws of trade & navigaon; And also, all the Laws & statutes extant ag^{t} piracy, when ever there be any such occasion, & to use their utmost diligence & care in preventing, suppressing & punishing all vice, disorders & Looss living, whersoever & in whomsoever it shall appear. And that end it is by the Governo^{r} & Council ordained, that from & after the first day of March next, The Justices of ye peace of each countie in this province and territories, at their rexive General or private sessions, may nominate & pitch upon such & so many ordinarie keepers or Inn holders within their rexive Counties, as they shall be well assured will keep good orders & discourage vice; And the Governor is pleased to condescend that hee will Licence those so approved of by the Justices, & will permitt no other to keep taverns, Inns or drinking houses within this governmt, but such as shall be so recomended from time to time. And wee further strictlie charge & Comand all psons within this governmt, as they will answer the contrary at their peril, that they give due assistance to the magistrats & officers aforesaid, in putting the sd Laws in execuon, & suppressing vice, that the wrath of God & the king's displeasure may not be drawn upon this poor country. Dated att Philadelphia, this 12th day of the 12th mo., 1697-8, in the ——— year of the reign of Wm. the 3d of England, king.

Wherupon, It was ordered By the Governor & Council, that the Secry should forthwith write six of ym, one for each Countie, & should subscribe the same as Secry, by order of the Governor & Council, & transmitt one of ym to each Countie, directed to the justices yrof, & that they should forthwith publish ye same in their rexive Counties, & then put ym up in the most publick place thereof rexivelie, that all persons Concerned might take notice yrof.

Upon reading the petion of Wm. Southbee & other Inhabitants of philadelphia, to the Governor & Council, Requesting ym to place officers of good repute & Christian conversation, & to cause tables of all officers fees to be Hung up in their offices, & that they wold reduce the number of ordinaries & better regulate ym, & to cause the Laws of the province to be put in execution, & Cause stock & cage be provided, & to suppress the noise & drunkennes of Indians, especially in the night, and Cause the Cryer go to the extent of each street when hee has any thing to Cry, and to put a check to Horse racing. The said petion was by the Governor & Council referred to the Justices of ye peace for ye Countie of philadelphia, for a speedie & effectual remedy of ye abuses yrin complained of.

Upon Reading the petion of Edward Shippen, Anthony Morris Charles Sober, John Farmer, James ffox & Samll Richardson, justices of ye peace for the sd Countie, agt Jno Claypoole, who is & is Like to be incapable to serve ye Countie either as Clark or Sheriff, by reason of his Lameness and misbehaveour, &c., and yrfor desiring the Gor to permitt ym to pitch on some others to serve as Clerk and Sheriff for ye Gors approbaon, who may be better able & more reputable to discharge those places.

The Governor bid ym recomend a Clerk & hee wold Comissionate him, & a person to serve as sheriff during Jno Claypoole's illness, & yt hee wold Comissionate him; & said Hee wold give the Justices an ordr to Cause Jno Claypoole deliver to ym the books of records & papers relating yrto, The Justices being willing to take the pains to make up the records of Court.

Upon Reading the petion of peter Clauson, Cooper, Setting forth, that hee had been Long since apprehended, & his goods seized, upon Suspition of piracy, and that his occasions call him hence for Europe, & that in regard no proceedure is made agt him, Hee prays the Libertie to depart the governm^t, & that his goods may be redelivered. Ordered, That the examinaon of John Matties, in relaon to the petitioner's being taken out of a deans vessel by Capt. Avery, be further inspected, & a further Consideraon of y^e petitioner's case referred to the next sitting of Council.

Petition.—Upon reading the petion of Sam^{ll} Carpenter, Edward Shippen, Anthony Morris, James ffox & david Lloyd, Willlam Southbee & John Jones, in these words, viz: To the Governo^r & Council of the province of pennsilvania & territories yrof, sitting att philadelphia, the tenth day of the 12th mo., Anno domi, 1697-8. The Humble petion of Sam^{ll} Carpenter, Edward Shippen, Anthony Morris, James ffox, david Lloyd, William Southbee & John Jones, in the behalf of themselves & the rest of the people called Quakers, who are members of the monethly meetting, holden & keept att the new meeting house, lately built upon a piece of ground fronting the High-street, in philadelphia aforesaid, obtained of the present Governo^r by the said people, Sheweth: That it hath been & is much desired by MANY, That a School be set up & upheld in this town of philadelphia, where poor children may be freely maintained, taught & educated in good Literature, untill they are fit to be put out apprentices, or Capable to be masters or ushers in the said school.

And for as much as by the Laws & Constituons of this governm^t, It is provided & enacted That the Governo^r and Council shall erect & order all publick schooles, & encourage & reward the authors of usefull sciences & Laudable inventions, in the said province and Territories, Therefore, may it please the Governo^r & Council, to ordain and establish that at the said town of philadelphia a publick schoole may be founded, where all children and sevants, male & female, whois parents, guardians & masters be willing to subject ym to the rules & orders of the said schoole, shall from time to time, with the approbaon of the overseers thereof for the time being, be received or admitted, taught and Instructed; The rich at reasonable rates, and the poor to be maintained & schooled for nothing. And to that end a meet & convenient house or Houses, buildings & rooms, may be erected for the keeping of the said schoole, & for the entertainment & abode of such & so many masters, ushers, mistrisses, & poor children, as by the order & direction of the said monethly meeting shall be Limited & appointed from time to time. And also, that the members of the aforesaid meetting for the time being, may, at y^r respective monethly meetings, from time to time make choice of & admitt such and so manie persons as they shall think fit, to be overseers, masters, ushers, mistrisses & poor children of y^e sd school, and the same persons, or anie of ym, to remove and displace, as often as the said meeting shall see occasion. And that the overseers and schoole aforesaid, may for ever stand & be established & founded in name & in deed, a Body politick and Corporate, To Have

Continuance for ever, by the name of The Overseers of the publick schoole founded in Philadelphia, at ye request, costs & charges of the people of God called Quakers. And that they, the said overseers, may have perpetual succession, and by that name they & their Successors may forever have, hold & enjoy, all the Lands, Tenements & chattells, & receive & take all gifts & Legacies, as shall be given, granted or devised for the use & maintainance of ye said School & poor schollars, without any farther or other License or authoritie from this governmt in that behalf; Saving unto the Chief proprietor His Quitrents out of ye sd Lands. And that the said Overseers, by the same name, shall & may, with Consent of the said meetting, have power & capacitie to demise & grant, by writting, under their hands & Comon seal, any of the sd Lands & tenements, & to take & purchass any other Lands, tenements or Hereditaments, for the best use & advantage of the said schoole. And to prescribe such Rules and ordinances for the good order & governmt of the same schoole, & of the masters, ushers, mistrisses, and poor children successively, & for their & every of their stipends & allowances, as to the members of the said monethly meetting for the time being, or the major part of ym, shall seem meet; with power also to sue and be sued, & to do, perform & execute all & every other Lawfull act & thing, good and profitable for the said schoole, in as full & ample manner as any other body politick or Corporate, more perfectly founded and Incorporated, may doe.

The Governor and Council doe grant this petition as is desired.

Commission to Fran. Nicholson, To appoint Judges, Registers, Marshalls & advocats for the Court of Admiralty of pennsilvania upon vacancie, &c. 26 June, 1697.

WILLIAM THE THIRD, by the grace of God, king of England, Scotland, France & Ireland, defendr of the faith, &c. To our well beloved Francis Nicholson, esqr. our present Governor of Mary Land in America, & to the Gor of Maryland for the time being, Greeting: Whereas, wee think it necessarie that for the preventing a failure of Justice, as well in the rexive Courts of admiraltie in the provinces undr our Imediate authoritie in the west Indies, as in the several proprieties Contained in the Comissions to the Governors of the sd provinces, for want of proper officers to manage those matters upon any present vacancy, or the death or Legal disabilitie of those who are in present possession of those employments, The said Governors should in such case be impowered to appoint Judges, Registers, marshalls & advocates, not onlie in the sd admiralty Courts of their owne governmts, but also in those of the proprieties which are nearest to the same. And wee being desirous that Justice should be duly administred in all the provinces and places undr our Imediate authoritie in the west Indies, & also in the several proprieties Contained in the Comissions to the Governors of the said provinces, and by these or Letters patents & Comission, particularlie to provide for or Courts of admiraltie of Maryland, pennsilvania &

Locus Sigilli Admiralitatis Angliæ.

west Jersey, have thought fitt to Impower, & do by these psents Comitt & grant unto you, o^r present Governo^r of Maryland, & to our Governor of Maryland for the time being, full power and authoritie to appoint Judges, Registers, marshalls & advocates for o^r admiralty Courts of Maryland, pennsilvania & west Jersey, upon any present vacancie of anie of these offices, or when there shall happen any, either by the death o^r Legal disabilitie of those who are or shall be in the possession of the same. And wee do Hereby Require you o^r present Governo^r of Maryland, & o^r Governor of Maryland for the time being, to transmitt as soon as possibly you can, to o^r Lord High Admiral of England, or to o^r Comrs for executing the office of Lord High Admiral of England for the time being, the names of the respective persons which you shall at any time appoint to the offices before mentioned, in the sd admiralty Courts, in ord^r to their being approved or disallowed of: In wittness wherof, wee have Caused the great seal of o^r High Court of Admiraltie of England to be hereunto affixed. Given at London, in o^r sd Court, the six & twentieth day of June, in the year of o^r Lord one thousand six Hundred ninty-seven, & in the ninth year of o^r reign.

ORLANDO GEE, regr.

The great seal of the High Court of admiralty of England is sub-pended. [Locus Sigilli.]

Commission to Mathew Birch, to be Collector of y^e Customs att New-castle.

To all people to whom these presents shall Come, Wee the Comissioners for managing & causing to be Levied & collected his Maties Customs & other duties in this kingdom of England, send Greeting: Know yee, that wee, y^e sd comrs, have, by virtue of an act of parliam^t made in the five & Twentieth year of the reign of king CHARLES THE SECOND, entitled, an act for encouragment of the eastland & Greenland trades, & for better securing the plantaon Trade, and in pursuance of the authoritie and direction to us given by the right honble The Lords Comrs of His Maties Treasurie, have deputed & Impowred, & do hereby depute & Impower Mathew Birch, esq^r. to be Collector of all the rates, duties & Imposions arising & growing due to his Matie att Newcastle in pennsilvania, by virtue of the said act. Whereby Hee Hath power to enter into anie ship, bottom, boat, or other vessel; as also into any Shop, House, warehouse, Hostery or other place whatsoever, to make diligent search Into any Trunk, pack, Casse, Truss, or anie other parcel or package whatsoever, for any goods, wares or merchandizes prohibited to be imported or exported, or whereof the Customs or other duties have not been duly paid, and the same to seize to his Matjes use; as also to putt in execuon all other Lawful powers & authorities for the better managing or collecting the sd duties, In all things proceeding as the Law directs; Hereby praying & requiring all &

Locus
Sigilli
Custum.

every his maties officers & ministers, & all others whom it may Concern, to be aiding & assisting to him in all things as becometh. Given undr our Hands and seal, at the Custom-House, London, this Twenty-first day of November, in the eight year of the reign of or Soveraign Lord WILLIAM THE THIRD, annoque domi, 1696. Robt. Clayton, Robert Southwell, Walter Yonge, Sam. Clark, Ja. Chadmesh. Indorsed thus:—province of pennsilvania, 21st March, 1697–8. The within Mathew Birch, esqr., did upon the day above written, Swear on the Holy Evangells of Almighty God, that he wold diligentlie & faithfullie execute the within Comission,. in presence of mee.

WM. MARKHAM, Governor.

Recorded 29th March, 1698.

Commission to John Bewley, To be Collector of the Customs att

Locus Sigilli Custum.

To all people to whom these presents shall come, Wee the Comrs for managing & causing to be Levied & collected his maties Customs & other duties in this kingdom of England, sends Greeting: know yee, that wee, the sd comrs, have by virtue of an act of parliamt made in the five & Twentieth year of the reign of king CHARLES THE SECOND, entitled, an act for encouragment of the eastland and greenland trades, and for better securing the plantation trade, & in pursuance of the authoritie & direction to us given by the Right Honble the Lords Comrs of his maties Treasury, Have deputed and Impowred, & do hereby depute & Impower John Bewley, esqr., to be Collector of all the rates, duties and Impositions arising and growing due to his matie att Philadelphia, in Pennsilvania, by virtue of the said act. Whereby hee Hath power to enter Into anie ship, bottom, boat or other vessel, as also into any shop, house, warehouse, hostery, or other place whatsoever, To make diligent search into any trunk, pack, Casse, truss, or any other parcel or package whatsoever, for any goods, wares or merchandizes prohibited to be imported or exported, or whereof the Customs or other duties have not been duly paid, & the same to seize to his maties use; as also to putt in execution all other Lawfull powers & authorities for the better managing or collecting the said duties; In all things proceeding as the Law directs. Hereby praying & Requiring all & everie his Maties officer & ministers, & all others whom it may concern, to be aiding & asssisting to him in all things as becometh. Given undr or Hands & Seal, at the Custom House, London, this twenty-first day of November, in the eight year of the reign of or Sovereign Lord, WM. THE THIRD, Annoq domi, 1696, Robt. Clayton, Robert Southwell, Walter Yonge, Sam. Clark, Ja. Chadmesh. Indorsed thus:—province of pennsilvania, 21st March, 1697–8. The within John Bewley, esqr., did, upon the day above writtin, swear on the

Holy Evangells of almighty God, that hee wold diligentlie & faithfully execute the within Comission, In presence of mee.

W^{M}. MARKHAM, Governo^{r}.

Recorded 29th March, 1698.

Commission to Mathew Birch, To be Surveyor & Searcher of the Customs in pennsilvania.

Edward Randolph, esq^{r}., Surveyo^{r} General of His maties Customs on the Continent of America, & Islands adjacent, To Mathew Birch, esq^{r}. By virtue of a deputaon granted me by the Honble the Comrs of his Maties Customs in London, bearing date the 13th day of October, 1691, & in pursuance Likewise of additional articles of instructions from y^{r} Honors, dated att the custom hous in London y^{e} 22^{d} of 7br, 1697, directing mee, amongst other things, that in Case of any vacancie by y^{e} death, or want of any of the officers of y^{e} Customs, or otherwise, To appoint some fit and able person to serve yrin; And finding no Surveyor & searcher in the province of pennsilvania & Counties annext, I do hereby depute & Impower you, the sd Mathew Birch, to be Surveyo^{r} and searcher of his maties Customs, in the sd province of pennsilvania & Counties annexed, with all the rivers, bays, Creeks & Harbours yrunto belonging, With power to enter any shipp, bottom, boat, or other vessel, as also into any Shop, house, warehouse, Hostery or otherwise, whatsoever, to make diligent search Into any trunk, chest, Casse, truss, or anie other parcel or package whatsoever, To make diligent search for any goods, wares or merchandizes prohibited to be imported or exported, qrof the Customs & duties have not been duly paid, and the same to seize for His Maties use; & also to putt in execuon all other Law^{ll} powers & authorities for the better managing & causing to be Collected the said duties, in all things as y^{e} Law directs, following & observing all such Rules & instructions as you shall from time to time receive from y^{e} Comrs of His Maties Customs in England, or from the Comrs of His Maties Customs for the time being. Given und^{r} my hand & seal of office, att y^{e} port of philadelphia, the 25th day of March, Annoque domi, 1698, & in the Tenth year of the reign of o^{r} Soveraign Lord king WILLIAM Y^{e} THIRD of England, &c.

Locus
Sigilli
sr. gul.

EDWD. RANDOLPH, Surveyo^{r} Genr^{ll}.

Recorded 29th March, 1698.

[19th May, 1698.

Att a Council Held att philadelphia, die Jovis, 19th May, 1698.

PRESENT:

WM. MARKHAM, esq^{r}. Lievt. Governo^{r}.

Sam^{ll} Carpenter,	Wm Biles,	Wm Rodeney,
Edwd Shippen,	David Lloyd,	Wm Clarke.
Joseph Growdon,	Jn^{o} Simcocke,	

Upon Reading y^{e} petion of peter gronendyke, for a rehearing of a triall hee had in the year 1690-1, wherein hee was Convicted of perjury, The same was rejected.

Upon Reading the petion of Nicholas Skull & others, Requesting that there may be an allowed rode from the Lime-kilns, for carting of Lime to philadelphia, extending from the sd Lime kilns Into plimouth rode, neer Cressoon, where there is neither Improved Land, Hill nor water to impede,

Ordered that Wm Harmer, Jn^{o} fisher, Daniel Howell, Edward Burch, Thomas Rutter and Nicholas Skull, do soe Lay out the said rode, The nearest & most Convenient that may be, & to the Least prejudice of the Improvts of y^{e} nighbourhood, and to make return yrof in a protracted figure & words, into y^{e} Secries office, In order to & as a final Confirmaon yrof.

Upon Reading the petion of Ann Baynton, Setting forth that her husband, peter Baynton, Late of Chester Countie, some years ago removed himself & most of his estate to England, & left her destitute of a Competent means of Livelyhood, promising in some short time to return, & that hee has Latelie sent over a Letter to her that hee has taken another wife there, & never intends to return hither, nor take anie care for her subsistence, & that hee will draw the remaining effects over to England, & Leave her wholie destitute of means of Living, And yrfor Requesting the Governo^{r} & Council to grant her an ord^{r} to take & possess all that is Left or can be found, of her sd husband's estate within this govrnm^{t}, towards her necessarie Support & alim^{t} as to Justice & equitie does appertain,

Ordered that it shall & may be Lawfull for the said Ann Baynton to take into her hands & possession all that is Left or can be found of her sd husband's proper estate wtin this governm^{t}, towards her support and aliment, as is desired; and it's further ordered, that all & every person & persons whatsoever, wtin this province & Territories, having any of the sd peter Baynton's estate, real or psonal, in their hands or possession, as attorney or otherwise, shall upon sight hereof, deliver the same to the said Ann Baynton, towards her sd support & aliment, whois receit shall be their sufficient discharge from the sd peter Baynton, his heirs, exers, admrs or assigns, and shall be accordingly deemed & taken in all Courts & before all magistrates within this government.

Upon reading the petion of George Claypoole, setting forth that being one of the younger children of James Claypoole, deced, & who by his last will & Testamt give to such of his children as is yrin menoned, all his front Lott of Land, w^{t} y^{e} Improvments yrof, to ym

& yr heirs forever, and y^{t} yor petitionr having proposed divers ways for a division yrof, but all to no purpose, and yrfor Requesting the Go^{r} & Council to order y^{e} sd division,

Resolved that the sd division be made by the ordinary, according to y^{e} Laws of this province, &c.

Comission. William Massey, to be Collector of the Customs att Lewis, in pennsilvania.

To all people to whom these presents shall come, Wee the Comissioners for managing & causing to be Levyed & collected His maties Customs, subsidies and other duties in this his kingdom of England, send greeting: Know yee, that wee, the sd Com^{rs} Have by virtue of an act of parliam^{t} made in the five & Twentieth year of the reign of king CHARLES THE SECOND, intitled an act for encourgment of the eastland and greenland trades, & for better securing the plantaon trade, and in pursuance of the authority and direction to us given by the right Honble the Lords Comrs of his matjes treasury, deputed and Impowered, and do hereby depute and Impower WILLIAM MASSEY, esq^{r}., to be Collector of all the rates, duties & impositions arising & growing due to his matie at Lewis, in pennsilvania, by virtue of the said act, wherby hee hath power to enter into any Ship, bottom, boat, or other vessel, as also into any Shop, house, warehouse, hostery or other place whatsoever, to make diligent search into any trunck, chest, pack, Casse, truss or any other parcel or package whatsoever, for any goods, wares, merchandizes, prohibited to be imported or exported, or whereof the Customs or other duties have not been duly paid, & the same to seize to his maties use; as also to put in execuon all other the Lawful powers & authorities for the better managing and Collecting the sd duties, in all things proceeding as the Law directs; Hereby praying and Requiring all & every his Maties officers & ministers, and all others whom it may concern, to be aiding and assisting to him in all things as becometh. Given under Our hands and seal, at the Custom house London, the Twenty-first day of Novemb^{r}, in the eight year of the reign of our Soveraign Lord, king WILLIAM THE THIRD, Annoque domi, 1696, so Subt. Robert Southwell, Godolphin, Walter Yonge, Sam. Clark, Ben. Overton. Recorded 1st July, 1698.

Locus
Sigilli
Cust.

Edward Randolph, esq^{r}, Surveyo^{r} General of his maties Customs in the plantaons & Colonies on the Continent of America, and Islands adjacent, To Captain John Jewell. By virtue of a deputaon granted me by the Honble y^{e} Comrs. of his maties Customs in London, bearing date y^{e} 13th day of Octo^{r}, 1691, & in psuance Likewise of additional articles of Instructions from their Hon^{rs}, dated at the custom house in London, ye 22d day of Septr, 1697, directing mee amongst other things, that in case of any vacancy by the death of any officer of the Customs or otherwise, to appoint some fit & able person to serve yrin, giving notice yrof for their Honrs directions yrin, and finding a present want of an officer in the province of pennsilvania, in America, I do constitute & appoint you, the sd Jno. Jewell, to be Surveyor and Searcher of his maties customs in the province of Pennsilvania & Counties annexed, & all the rivers, creeks & bays yrunto belonging, With power to enter into any Ship, bottom, boat, or other vessel, as also Into any Shop, ware-house, hostery, or other place whatsoever, to make diligent search into any trunk, chest, pack, Case, truss, or any parcel or package whatsoever, for any goods, wares or merdizes prohibited to be Imported or exported, qrof the Customs & duties have not been duly paid, and the same to seize for his maties use; and also to put in execuon all Lawful powers and authorities for the better managing and Collecting the said duties in all things as the Law directs, following and observing all rules and Instructions as you shall from time to time receive from the Comrs of his Maties Customs for the time being. Given undr my hand & seal of office, att the port of Philadelphia, this 15th day of April, in the tenth year of his maties reign, annoq dui, 1698.

Ed RANDOLPH, Survr genrll.

I, Nicholas Hayward, Notary & Tabellion publick, dwelling in London, admitted & sworn, do Certifie & attest unto all whom it may concern, that I have seen and perused certain Letters patents of denization, granted by our Soveraign Lord and Lady king William & Queen Mary, under the broad seal of England, dated the 15th of April, in the fifth year of their sd maties reign, wherein among others, are inserted the names of francis Bassett, Mary Magdalen his wife, Susanna Magdalen & Susannah, their daughters, who though born beyond seas, are made their majesties Leige subjects, and to be held, reputed and taken as subjects born in this kingdom of England; & may as such purchase, buy, sell, and dispose of Lands, tenements and Hereditaments, in this kingdom or any other of their majesties dominions, as freely, peaceably & entirely as anie subject born in this kingdom; and that the sd francis Bassett, Marie Magdalen his wife, Susanna Magdalen and Susannah, their daughters, by virtue of the said Letters patents, are to enjoy all Liberties, priviledges and franchises of subjects born in this kingdom, without any disturbance, Impediment, or molestaon as by the said patent, relaon being thereunto had, may more at Large appear, of all which act being required of mee, the sd notary, I have granted these presents to serve & avail the said francis Bassett, Mary Magdalen his wife, Susanna Magdalen & Susannah, their daughters, ye time & place convenient, ye 25th of April, 1693, & in the 5th year of yr matjes reign. In Testimonium veritatis Signo meo manuali Solito Signari, et Tabellionatus mei Sigillum apposui, Roga tus: Nicho Hayward, Nota. pub. Locus Sigilli, Entered in the Clark's office of the Citie of New york, in the book of deeds No 18, pag.

257, y^e^ 23^d^ day of Sept^r^, 1693, p. Will. Sharp as Ck. Indorsed thus: personallie appeared before mee, the within named francis Basset, who made oath upon the Holy Evangells of Almighty God, that hee is the verie self same individual person mentioned in & intended by the within mentioned Letters patents, & no other, So Subt.

WM. MARKHAM, Locus Sigilli in margine.
Record 3^d^ August, 1698.

[3^d^ Sept^r^, 1698.

Att a Council Held att philadelphia die Sabbathi, y^e^ 3^d^ September, 1698.

PRESENT:

WM. MARKHAM, Esq^r^, Leivt. Governou^r^.

Sam^ll^ Carpenter,	Jn^o^ Simcoke,	Wm. Biles,
Edw^d^ Shippen,	Joseph Growdon,	Wm. Clark.
David Loyd,		

The Lt. Go^r^ acquainted the Council y^t^ hee had received a Lre from y^e^ Justices of the peace of Sussex County, & desired y^e^ Secrie to read it, which hee did, viz: may it please yo^r^ Hono^r^, This to o^r^ Sorrows, but according to our duties, is to inform, That on friday Last, in the afternoon, a smal snug-Ship & a Sloop came too wtin our Cape, not wholly undescried, but little dreaded of being an enemy or french, both which they proved, & yesterday morning Landed about 50 men, well armed, & came up y^e^ town & plundered almost every house yrin, Comitting great spoil, breaking open doors & Chests, and taking away all money or plate to be found, as also, all manner of goods & merdizes worth any thing, together with ruggs, blanketting, & all other bedd Covering, Leaving scarce any thing in y^e^ place to Cover or wear. They brought two English prisoners on shore wt ym bound, one of ym known to be Jn^o^ Reedwood, of philadelphia, His Boy, with whom they wold Sufferr no Converse, but wee suppose y^e^ sd sloop to be said Redwood's, taken Coming out Cinnepuxon Inlett; They all went on board Last night; killed several Sheep & Hogs. They Continue still att anchor in yr birth, as neer in the bay opposite to this towne as they well can find water to ride in, & it's doubted they will be on shore again before night for more Cattle, if not to burn y^e^ houses; but wee shall endeavo^r^ to Scare ym. They Ly ready for all mischief inwards or outwards by Land or water, and Have pilots any way. They are now in Chasse Inwards of a Briganteen with their sd sloop. The briganteen outsails ym, & wee Hope in God will escape. They are begarly Rogues, and will pillage for a trifle, and do think they may tarry Long enough untill y^e^ man of warr att York may have Speedy notice. They took about eleven of y^e^ Chief of o^r^ town prisoners, & when they had made ym help on board their plund^r^, dismist all except one man, Cap^t^. Watson's Carpenter. This place is very open for danger, & verie naked for defence. M^r^ Clark's House

& goods Hath Sufficiently shared in ye villany. Wee hope wee need not repeat ye Calamities aforesd, nor ye great terror yt must needs here attend all Sexes & Sizes; all which is Submitted to yor Honors most Serious Consideraon, By Sir, yor Humble Servants.—Luke Watson, John Hill, Tho. Oldman, Jonat Baily.

Therafter the Lt. Gor sent for Tho. Simkins, mariner, who appeared, & aged fourty years, made oath yt ye name of ye vessel yt took him hee knows not, but yt it was a pirate named Canoot, on board Jno Redwood's sloop, & yt ye sloop that took ym was said to belong to one William, in providence, & that the pirate took her about the Bahama Islands, as his men said, & that Hee took ye deponent and said Reedwood's Sloop off Cinapuxon Inlett, 30 miles below ye Cape, & that they wer taken ye 3d Augt, & that ye sd Canoot keept still on board sd sloop, shee being the best Sailor, & yt ye sd Capt. shott one of his owne men for some misdemeanor as they said, formerly comitted by him. And further saith not.

Edward Gillibrand, aged about 36 years, being sent for, appeared & made oath yt hee was Mr of ye dunmore of Liverpoole, & came from Rapahannock river, out of ye Capes of Virginia, ye 17th Augt. Last, & was taken by ye sd pirate ye 19th, with the sloop yt now Lyes att philadelpia; yt hee was taken about 75 Leagues off ye Capes of Virginia, about E. N. E. the pirate Lay fair northerlie off ye Cape, & Laid him athwart ye Hause & boarded him att once, & yt ye pirate fired but killed none on board him; that hee knows not ye Sloop's name yt took him, and yt at Rapahannock hee was told yt many pirats wer on ye coast, & yt hee heard ye pirats say yt ye sloop qrin they took him belonged to providence, & further says not.

The which Lre & deposions being read, The Lt. Gor ask't ye advice of ye Council yrin, Whoise ansr was: That seeing ye king's Lres patent impowers ye proprietarie, His Heirs & assigns, by ymselves or yr Captains, or other their officers, to Levy, muster & train all sorts of men, of what condion or qrsoever born, in ye province of pennsilvania, for ye time being, & to make warr, & to psue ye enemies & robbers aforesaid, as well by sea as by land, even wtout ye Limitts of ye sd province, & ym, by God's assistance, to vanquish & take, & being taken, to putt to death by ye Law of war, or to save ym, att yr pleasure; And to do all & everie other thing which to the charge & office of a Capt. general of an army belongeth, or Hath accustomed to belong, as fullie & freelie as any Capt. General of an army ever had ye same. And seeing the Lt. Gor. is vested with the above sd powers of a Capt. General, & is not scrupulous to putt ye same in execuon; Therfore, ye sd members of Council do referr ye managmt of ye whole affair upon this & ye Like emergencie, to his conduct & prudence. And It is ye Opinion of this board, that what charge shall accrew yrby, ought to be speedily raised by a provincial tax.

The petition of David Evans being read, Setting forth His Long Imprisonment, & yt notwtstanding ye great charge Hee has been att in procuring evidences of his being cleared in England, by his Country, on a fair trial of the Crimes alledged agt him, yet is still detained

Close prisonr, to His ruine; and therfore Requests enlargmt & ye enjoymt of his Liberty. Resolved yt ye petitionr make His applicaon to ye Judge of ye Court of admiralty, for his enlargment Or Speedy trial.

[24th Septr, 1698.

Att a Council Held att philadelphia die Sabbathi, ye 24th day of Septembr, 1698.

PRESENT:

WM. MARKHAM, Esqr, Lieut. Governor.

Samll Carpenter,
Joseph Growdon,
Wm. Biles,
Richd Halliwell,
John Simcocke,
David Lloyd,
Jno Donaldson,
William Clark,

The Lt. Gor said: Gentl, There Has Hapened here in this town an action that hath verie much troubled me, & I think in it self verie Irregular, viz: There wer some goods & merdizes Seized by ye king's Collectors for goods imported Contrary to Law,The wch goods Coll. Robt. Quarry, Judge of the Court of admiraltie for this pvince & territories, by his warrt to Robt. Webb, marshall of ye sd Court, took from ye said Collectors, & Comitted ym to ye custodie of ye sd marshall, and ye sd Coll. Quarry being upon going to Maryland, I was petitioned by Jno Adams, ye owner of ye said goods, for a replevin, in these words, viz: "To ye Honble Wm. Markham, esqr, Gor of the "province of pennsilvania. The Humble petion of Jno Adams most "humbly Sheweth, That yor petitioner did, in ye mo. of June Last "past, ship a Considerable Quantitie of goods on board ye sloop "Jacob, Francis Basset Mr., bound for this place from New york "wch sd goods, for want of a Certificate, wer seized att New-"castle; whereupon I, as in duty bound, made my applicaon to yor "Honr, & yor Honr was pleased to promise mee all ye favour you "Could in such a Case grant mee, And by yor Honor's advice, I "went down to Newcastle to treat with the Collector concerning that, "who not willing to take any advantage to Ruine mee, was verie "willing to observe yor Honor's Comands & directions, so yt I hoped "(as I thought on good ground) to Have my goods returned mee upon "an appraismt, till ye Court wold be. A smal time after my certifi-"cate Came from Newyork, which I showed to the Judge of the ad-"miraltie, & to Esqr Randolph, & requested I might have my goods. "The Judge told me if I had 1000 Certificates I could not have my "goods but in a Legal way, Becaus hee said yt Mr was not Qualified "according to Law. I submitted to it, and pray'd I might have my "goods prized, & wold give in good securitie to ansr it att Court, "which was promis't mee (as soon as ye provost marshall had his "Comission, which yet hath not been granted;) Tho' hee who was “the author of all my trouble, & an alien, had his goods & vessel delivred to Him; & I was still putt off with fair promises that I should have ym; when ye advocate (yt is to be) had been att Newyork & come back again, I should have ym delivered to me instantly. I ye meantime, understanding I had a Cargo of goods arrived there for mee, I went to Newyork to dispose of ye same, And meeting wt ye Advocate on my journey, Hee told mee I might have my goods if I wold give bail according to my prime Invoice, wch I was willing to do, rather than to Consume so much of my precious time waiting for I know not what, and so made all possible Haist to Newyork & putt my goods Into a merts. Hands there to sell for mee, allowing Him Usual Comissions, in regard I was Unwilling to neglect my troublesome bussines here, in hopes of a Speedy dispatch, according to the manie Reiterated promises made mee. So I made post from Newyork back again, & Have since made my applicaon to ye Judge of ye admiraltie, and delivered him my Invoice to puse, & offered him my oath to it. He told me he wold Consider of it, & since tells mee hee can do nothing in it, and gave mee some Hints as though it Stuck wt yor Honr, & am still putt off wt fair words, but no such actions. So yt I have assumed the boldness once more to address to yor Honr, Hoping & Humbly requesting yt yor Honr will please to Consider the great Charge I have been att in having my goods seized, & paying ten shills p. week storige, almost these 2 mo's., & in having ym detained from mee; my several chargeable and uncomfortable voyages to Newcastle (by yor Honors advice) to treat with the Collector; my great charge, pains, & trouble in Coming back from Newyork, together with my great Charge & Inconveniencie in Leaving my goods there on Comissions; my intolerable Charge in ye Loss of my precious time, & extraordinary expenses I am dayly att; the Loss of my market & damnifying of my goods, wch, for aught I know, may be roten before ye Court of Admiralty be Constituted, the Judge being bound to Maryland for ye advocat's Comission; the great detriment it hath been to my health, being fallen away since I came almost to skin & bones, by Continual Concernedness for my hard,Unheard of Usage; the great destruction of my bussines att home & abroad; the impairing my Creditt, the best Jewell I have; the utter, unavoidable Ruine of my dear wife & children; ye smal, or no advantage that can redound to his matie or yor Honor by with-holding ym from mee; all which tends to the dishonor of his matie in having his subjects wronged in pson & estate, by Hard hearted, unreasonable officers, & ye discouragmt of ye growing trade of this province. Yor petitionr Humbly prays yor Honr to Consider ye premises, and grant Hee may Have his goods on an appraismt, by sworn appraisers or anie other ways, as yor Honrs great wisdom may think fitt, being willing to give in Securitie to ansr what may be alledged agt my goods, and abide ye Ordr of ye Court. And yor petitionr, as in duty bound, shall ever pray for yor Honrs Happiness & prosperity. JOHN ADAMS, philadelphia, August 19th, 1698.”

I made ansr that I wold not medle with any thing that Lay before the Court of admiralty ; But the day after, as I take it, the sd Coll. Quarry went out of this Town, The sd Jno Adams, Owner of the goods seized, obtained from Anthony Morris, one of the Justices of ye peace for this County, a warrt, by ye name of a warrt of Replevin, which was executed by ye under Sheriff, and the goods taken from ye marshall & delivered to the sd Jno Adams, ye owner yrof.

Upon the Complaint of ye marshall, I wrote to the Sheriff ye 27th Augt, 1698, in these words, viz: " Mr. Claypool, I wonder such " an action of replevying ye goods in ye hands of ye marshall of ye " admiralty should be done without my knowledge: It was but yesterday that I was petitioned for a Replevin, which I refused ; & I " think I have as much power as any man in this governmt. What " complaints & damages may arise from this Let the actors ansr for ; " since I cannot undo what's done, I will declare agt ye proceedings of " all who were concerned in it: my advice to you is, & I expect that " every thing you have taken by virtue of the warrt of Replevin, be " forth coming in its proper specie." To which the sd Sheriff made answer in these wrds, viz: " Sir, I perceive by yors, yt Adams of " Boston had been with you to request the grant of a Replevin, & yt " hee had yor denial. Hee came to mee about foure in the afternoon " yesterday, & desired to have a Replevin of certain goods that was " taken from him by Robt. Webb, not naming him to mee by any " office, & the writt named him Robt. Webb, gentl; I knew not that it " any way interfered with the Court of admiralty, neither did I either " hear or know any ways that hee had been with you. Replevins " have been always here granted by the Justices, and never questioned by the Sheriff, no more than writts of arrest. I took of him " bond wt Securitie in 300lb. for ye goods to be forth coming, being " several sorts of English goods, five bolts of Canvass, & five ½ barrels of East India goods, and that hee shall make restituon of ye sd " goods, if it shall be so ordered by ye Court. Had I known you " had been interceded about it, wold not have any wayes medled in it " wtout yor approbaon; So hope my ignorance yrof may plead my " excuse, being ever willing to obey yor Comands to ye best of my " power and ability, so subt. JOHN CLAYPOOLE, 7th Augt, " 1698." And Seeing the sd Robt. Webb, marshall of the admiralty, came no more near mee, I sent the Sheriff the following warrant, viz : " province of pennsilvania; By the Lt. Gor. Whereas, several " goods & merchandizes wer seized by Mr Jno Bewley & Mr Mathew " Birch, Collectors of his Maties Customs wtin this governmt ; which " goods wer delivered by ym Into ye hands or possession of Mr Robt. " Webb, marshall of ye Court of Admiralty, in ordr to have ym tryed " in ye same Court, as goods illegallie imported, Which goods wer by " the Sheriff of ye Countie of Philadelphia, taken from the sd Robt " Webb, by virtue of a warrant of Replevin from a justice of the " peace of the sd Countie, & the goods delivered to Jno Adams, the " pretended owner thereof; I do yrfor hereby will and require you, to " take into yor possession ye same & sd goods, & safely keep ym, " untill further order, or that they be brought to trial in such Court "ye Informer shall think fitt, according to Law, for which this shall "be yor sufficient warrt. Given att Philadelphia, this 27th day of Augt, "in ye 10th year of ye reign of king Wm., & 18th of ye proprietor's "govmt. Annoque domi, 1698, Wm. Markham. To Mr Jno Claypool, High sheriff of philadelphia Countie." And the sd Sheriff wrote mee in answer this, viz: "Augt 30th, 1698. Sir, Jacob May, "(the under Sheriff,) Has been yesterday & to-day about the execuon "of yor warrt for seizing & Securing of ye goods taken by replevin, "& have not as yet any accot yrof: I hope to wait on you to morrow, "& receive yor further Comands. To Subt, John Claypoole." Therafter the marshall, Robt Webb, posted outt of town after Coll. Quarry, & overtook him at New castle, and there drew up a narrative & swore to itt, but know not as yet what it is; But Coll. Quarry att his return to philadelphia, told mee hee had sent several Copies of it home, wt Coments upon it as large as the Circumstances of the thing wold bear, wt reflections upon mee in it. I told him I thought hee had been to quick in writting home before hee had first inquired in ye matter Himself. Then the Lt. Gor said, Gentl, Its now late, yrfor wee'll adjourn till Moonday ye 26th instant, & in ye meantime I desire you will think of what I Have Laid before you, and yt you will be readie by yt time to assist mee wt yor advice in this matter.

Adjourned to 26th instant.

[26th Septr, 1698.

Att a Council Held att philadelphia, die Lunæ, ye 26th of September, 1698.

PRESENT:

WILLIAM MARKHAM, Esqr. Leiut. Governor, et ysdem ut antea.

The Lt. Gor said: Gentl, I Hope you Have by this time Considered of what I Laid before you ye 24th instant, & are ready to give me yor advice yrin. I ask your opinion of the action of Anthony Morris, the Justice of ye peace yt granted ye writt of replevin, becaus Coll. Quarry, the Judge of the admiralty, aggravats it as an action of ye governmts, and I think no action of any Justice of the peace, nor no unjust proceedings of any Court, can be termed an action of ye governmt.

It was resolved, that the granting of ye sd replevin was no act of the government, nor was the Governor any wise Consenting or privie therto.

Therafter, three of the Justices of ye peace for the County of philadelphia, viz: Anthony Morris, Samll Richardson & James ffox, presented to the Gor & Council the paper following, viz: "May it please "the Gor & Council, Wee, the Justices of the County Court of phila- "delphia, understanding that some complaints have been made to you "agt or proceedings in a replevin Latelie granted by one of us to John

"Adams, mert, returnable to or last Court, do humbly offer this following answer for or vindicaon. First, that wee look upon a replevin to be the right of the king's subjects to have, & or duties to grant, where any goods or Cattle are taken or distrained. 2dly, That such writts have been granted by the Justices, & no other in this governt, the p'ties giving bond with Surties, to the Sheriff, for redeliverie of such goods in case ye pltf. in the replevin be cast, according as is usual in England in such cases. 3dly, That since wee understood how the goods in Question wer Seized & secured in ye king's store house, wee might have just grounds to conceive that the Sheriff might be as proper to secure the same to be forth coming in Specie, as by the replevin hee is Comanded, as that they should remain in the hands of Robt. Webb, who is no proper officer as wee know of, to keep the same, nor hath given any Security or Caution to this governmt to ansr the king and His people in that respect, as wee can understand. Lastly, That wee att or Last Court, finding this matter to be weighty, tho' wee did not know of any Court of admiralty erected, nor psons Qualified as wee know of to this day, to hold such Court, yet wee forbore the triall of ye sd replevin, & Continued it untill wee further advised, & so the pties are to come before us again att next Court, where wee should be glad to receive some advice yrin from you; And rest yor Loving friends, Anthony Morris, Samll Richardson, James ffox, philad. ye 27th of ye 7th mo., 1698."

Adjourned to ye 27th instant.

[27th Septr, 1698.

Att a Council Held att philadelphia die Martis, 27th Septr, 1698.

PRESENT:

WM. MARKHAM, Esqr. Leiut. Governor, et ysdem ut antea.

The Lt. Gor Sent for the Justices of ye peace of the sd County of philadelphia, that Satt on the bench the last Countie Court. There appeared Anthony Morris, Samll Richardson & James ffox, (Edward Shippen, one of ym, being gone to New england,) The Lt. Gor told ym yt Coll. Robt. Quarry & mr Jno. Moor, had been with him, & told him yt in ye sd Last County Court, there wer great reflections made upon Coll. Quarrie's pson, & his Comission; And that the Court permitted a petion to be read in Court that had many reflections in it upon sd Coll. Quarry, wtout any reprimand or notice taken of it. Gentl, I am sorry to Hear & unwilling to believe these things. But yt I may be satisfied in ye truth yrof, I sent for you to have it examined before this board; But ye time of ye provincial Court's circuit being come, wherein Some of ye Council are Judges, I cannot have a Quorum of ye Council until ye sd Court be over, and then I shall call a Council on purpose to examin ye sd Complaints. WHereupon some of ye members of Council moved that the Lt. Gor wold be pleased to Cause Coll.

Quarry & Jn° Moor, to reduce y^r Complaints to writting, y^t y^e psons Concerned might make their defence thereunto.

Adjourned till further order.

MINUTES OF COUNCILL IN ASSEMBLIE, Anno Ri. Rs. Gulielmi terty Angli, &c. decimo.

10^th May, 1698.

Att a Council Held att philadelphia, die Martis, 10^th May, 1698.

PRESENT:

WILLIAM MARKHAM, Esq^r., Leiut. Governo^r, by virtue of a Comission granted to him by the Right Honble William penn, absolute proprietor and Governo^r of the province of pennsilvania & the territories thereunto belonging.

Sam^ll Carpenter,	Rich^d Halliwell,	William Clark
Edward Shippen,	William Rodeney,	David Lloyd.
John Simcocke,		

The Leiut. Governo^r sent the secrie to the Representatives in Assembly, to acquaint them that hee waited for ym, who returning, told him that they wold attend him forthwith.

The Assembly appearing, The Leivt. Governo^r said: Gentl, I have received a new Comission from the proprietor and Governo^r; I yrfore desire you to attend the publishing yrof by the secrie at y^e market place, & when that is done, I desire the members of Council to return hither.

The sd Comission having been so published, & the sd members returning, The Leivt. Governo^r desired the secrie to record y^e same In the book of minutes of Council. Here it follows:

COMMISSION.
WILLIAM PENN
TO
WM. MARKHAM, TO
BE LEIVT. GOVERNO^r.

11^th May, 1698.

At a Council Held att philadelphia die Mercury, 11^th, May 1698.

PRESENT:

WM. MARKHAM, esq^r, Lievt. Governo^r, &c.

The Sheriff of the County of philadelphia His Return of Repsentatives for Council was produced, qrby it appeared y^t ther wer elected Sam^ll Carpenter & Edw^d Shippen, who appeared.

The Sheriff of the County of Bucks his Return of Repsentatives for Council was produced, qrby it appeared y^t ther wer elected Joseph Growdon & Wm. Biles, who appeared.

The Sheriff of the County of Chester His return of Repsentatives for Council was produced, qrby it appeared y^t ther wer elected David Lloyd & Jn^o Simcocke, Who appeared.

The Sheriff of the Countie of Newcastle his Return of repsentatives for Council was produced, qrby it appeared y^t ther wer elected Rich^d Halliwell & Jn^o Donaldson. The first appeared, the Last absent.

The Sheriff of the Countie of kent his Return of repsentatives for Council was produced, qrby it appeared y^t y^r wer elected Jn^o Curtis, since deced, & Wm. Rodeney, who appeared.

The Sheriff of the Countie of Sussex His Return of Repsentatives for Council was pduced, qrby it appeared y^t ther wer elected, Wm. Clark & Jn^o Hill. The Last absent.

The sd Sam^{ll} Carpenter, Edw^d Shippen, Joseph Growdon, Wm. Biles, David Lloyd, Jn^o Simcocke & Wm. Clark, did Subscribe the declaraon of fidelitie, the profession of the Christian faith & the Test. & took their places at the board.

The said Richard Halliwell & Wm. Rodeney took the oathes appointed by act of parliam^t to be taken in stead of the oathes of allegiance & Supremacie, & Subt y^e test, and took y^r places at y^e board.

AND THEN WER PRESENT:

WILLIAM MARKHAM, Esq^r. Leivt. Governo^r.

Sam^{ll} Carpenter,
Edw^d Shippen,
Joseph Growdon,
Wm. Biles,
David Lloyd,
Jn^o Simcocke,
Rich^d Halliwell,
Wm. Rodeney,
Wm. Clark.

The Sheriff of the Countie of philadelphia his return of repsentatives for Assembly was produced, whereby it appeared that there wer elected, Anthony Morris, James ffox, Sam^{ll} Richardson and Andrew Bankson, Who appeared.

The Sheriff of the Countie of Bucks His Return of repsentatives for Assembly was produced, qrby it appeared that there wer elected. phineas pemberton, Robt. Heaton, Joseph kerbride, & Henry Baker. sick. The first three appeared.

The Sheriff of the Countie of Chester His Return of repsentatives for Assembly was produced, qrby it appeared that there wer elected. Caleb pussey, Sam^{ll} Louis, Nathaniel Newline and Robert Carter, Who appeared.

The Sheriff of the Countie of Newcastle His Return of Repsentatives for Assemblie was pduced, qrby it appeared that there wer elected Adam pieterson, Edw^d Gibbs, John Grubb and Joseph England. The Last absent.

The Sheriff of the Countie of kent His Return of Representatives for Assembly was pduced, qrby it appeared that there wer elected, Richard Wilson, Wm. Morton, both absent: Robert Edmunds & Henry Molleston, who appeared.

The Sheriff of the Countie of Sussex His Return of Repsentatives for assembly was produced, q^{r}by it appeared that there wer elected Thomas Oldman, Jonathan Bayley, Cornelius Wiltbank and Luke Watson, Junior; The Last sick. , The rest appeared.

Anthony Morris, James ffox, Sam^{ll} Richardson, phineas pemberton, Robert Heaton, Joseph kirkbride, Caleb pussey, Sam^{ll} Louis, Nathaniel Newline, Robert Carter, Edward Gibbs & Jn^{o} Grubb, did subscribe the declaraon of fidelitie, profession of the Christian faith and the test.

Andrew Banckson, Adam pieterson, Robert Edmunds, Henry Molleston, Tho. Oldman, Jonathan Bayley & Cornelius Wiltbanck, took the oaths appointed by act of parliament to be taken instead of the oathes of allegiance and Supremacie, and Subt the Test.

All which members of Assemblie that were Returned and appeared, being thus qualified as above, The Leivt. Go^{r} said: I desire you to go together & choose yo^{r} Speaker. The assemblie departed. After some time Edward Gibbs & Tho. Oldman acquainted the Lt. Go^{r} & Council, that the members of Assemblie wer readie to wait upon him. The Lt. Governo^{r} Returned y^{t} hee & Council wer ready to receive ym.

Then phineas pemberton, accompanied by all the repsentatives of Assembly, acquainted y^{e} Leivt. Governo^{r}, that they had made Choice of him for y^{r} Speaker; Who having desired to be excused, & y^{t} y^{e} Lt. Go^{r} wold order another choice, The Lt. Go^{r} replied that hee was well satisfied with their Choice.

Then the Lt. Governo^{r} addressing Himself to all the repsentatives in Council & Assemblie, said: " Gentl, & you M^{r} Speaker, Ever " since I received instructions from yr excellies The Lords Comrs of " the Governmt, Sub^{t} by y^{e} Comrs of His majes Customs, wch was on " y^{e} 17th March Last, & Lyes upon the table for yo^{r} pusal, I Have " thought the time Long to the day of yo^{r} meeting, that I might advise " wt you about an effectual way to answer every article or Comand " thereof. Our navigable Creeks where smal vessels may Load are " many, & not so well known in England as they are to us here, " yrfor wee cannot expect yr excellies instructions should be so " exactlie framed, nor any Law in England so made, but there may " be some difficulty here to put in execuon every part or Article; But " this wee know, That it is o^{r} duty to take care they be punctually " observed & keept. Therefore, I desire you will diligently peruse " the Laws of trade & navigaon, with the instructions, and where you " find anie article difficult to execute, you will make such Laws as " may make them more easy, & enable the Governo^{r} & his majes " Collectors to pform y^{r} duties with all the securitie possible may be. " I have desired the Collectors to Consider what Laws they think " necessary for his maties Service & interest, & advise mee yrof. " I have promised ym free access & freedom of Speech both to & " in the Council & Assembly, and I expect you will perform it, & " also to any of yo^{r} Comittees. This is the first thing I Have to "propose, & desire it may be dispatched before wee enter upon any "thing else."

The Lt. Go^{r} delivered his sd speech to the assembly, & appointed Edw^{d} Shippen, Joseph Growden, Wm. Clark, Rich^{d} Halliwell & David Lloyd, a Comittee to Join a Comittee of assemblie to Consider of y^{e} sd speech, & to propose such a Bill to be past into a Law as they should think Convenient, and to make report to the Governo^{r} & Council.

Adjourned to the 19th instant.

[19th May, 1698.

At a Council Held at philadelphia die Jovis, 19th May, 1698.

PRESENT:

WM. MARKHAM, esq^{r}. Leivt. Governo^{r}, et ysdem ut antea.

Joseph Growdon, Chairman of the Comittee of Council & Assemblie, appointed to Consider of the Lt. Governo^{rs} speech, made report to the Leivt. Go^{r} & Council, that they had with all diligence perused & Considered y^{e} same, & had drawn up a bill for the further Consideraon of the Leiv^{t}. Go^{r}, Council & Assembly, to be past Into a Law, for preventing frauds, &c. which was distinctlie read & debated, article by article.

Ordered y^{t} Da^{d} Lloyd & Wm. Rodney, Carry y^{e} sd bill to the house of repsentatives for y^{r} approbaon; wch they did.

John Hill, returned by the Sheriff of Sussex County to serve in Council, & Luke Watson, Jr. to serve in Assembly, took y^{e} oathes appointed by act of parliamt to be taken instead of the oaths of allegiance & Supremacie, and subt the test.

[DAVID EVANS.

Upon Reading the petion of David Evans, setting forth that hee was Close prisoner in the comon goal of y^{e} Countie of philadelphia, upon Suspition of Having been a pirate belonging to Avery's Crew, & y^{t} hee had his triall at y^{e} old Bayley in England, before the Lord Chief Justice Holt, & was cleared by proclamaon, but remanded to Newgate for his fees, & was relieved thence by Jn^{o} Lowrie, who had been by the petitioner subpœnaed as a wittnes for him on his triall, & was psent at y^{e} same, & at his discharge, which the petitioner was readie to make appear, by the testimony of y^{e} sd Jn^{o} Lowrie, & other Lett^{rs} from Credible psons, & yrfor requesting to be discharged from his confinement. John Lowrie appearing before y^{e} Lt. Go^{r} & Council, did Swear on the Holy Evangells of Almighty God, that in July Last hee was at the trial of the said David Evans, at the old Bayley, before the Lord Chief Justice Holt, & heard him cleared by proclamaon; and afterwards saw him in Newgate, paid his fees for him, & tooke him into the said deponent's Lodging; Also a Lettr from one Capt. Humphrey pellew, Mr of a vessel, directed to the Lt. Governor, dated 14th May instant, was produced, wherein hee says: I am a perfect Testator, by report of david Evans acquittance, but Mr Lowrie who was at his trial at ye old Bayley, London, in July Last, Can more fullie satisfy yor Honor. The said David Evans also sent to the Lt. Gor & Council a Lettr from one James Lewis to his children here, dated the 8th of 7br, 1697, wherin hee writts that his Cosen, David Evans, having mett with trouble about the psian ship, is now cleared & discharged by Law, for the king's evidence from first to Last, affirmed yt he was prest & forct away by Capt. Avery; That there were about fifty gentl, as they call them, from Carmarden & pembrockshire at his triall, & tho' some did, yet there was no need for any of ym to appear in his behalf. Hee was at a great charge to bring several Ms of Shipps to vindicate the truth of things as to him, but the Judges saw there was no need for any of ym to appear in his behalf, nor to examine ym, & so released Him in open Court, To the great joy & Content of Judge Wogen, Esqr. Sommerford, & the rest of his Countrymen.

Samll Harrison, mariner, (a man of good Credit here,) also made oath on the Holy Evangells of Almighty God, yt in England hee saw the sd David Evans in Custodie, & saw him Carryed prisoner to London, & knows no more of him but what hee, this deponent, had from ye sd David Evans' own mouth.

Robert Snead being sent for before the Lt. Gor & Council, by whois means the said David Evans was by the Lt. Gor Comitted, was desired to exhibit Informaon agt him, the said David Evans, which hee did. and which remain on ye file in the Secries office.

Resolved, that if the sd David Evans cannot bring good & sufficient securitie to the Lt. Gor & Council, to be bound body for body for him, that hee shall not depart the province untill hee produce from England authentick Certificates of his trial & discharge, yt then hee shall remain as hee is, close prisoner, untill he be discharged by due Course of Law.

The Lt. Gor ordered ye Secry to Issue a Sumons for ye sd Rt Snead to appear befor ye Gor & Council post m.

POST MERID.

Att a Council Held att philadelphia die Jovis, 19th May, 1698, Post merid.

WM. MARKHAM, esqr. Lt. Gor, et ysdem ut antea, except Rd Halliwell.

The sd Robt. Snead appearing, The Lt. Gor acquainted him yt hee had avice from England that ye sd Robt. Snead had wrote to England, pticularlie to Sir I. Hoblon & Coll. Robt. Quarry, Informing ym That tho' ye Governor knew of & had ye proclamaon to seize pirats, yet that hee refused to seize several of ye pirats of Avery's crew, & bailed ym after Seizure, & denied & refused guards to watch them, the goal being insufficient. All which hee, y^e^ sd Robt. Snead, positively denied, & said that hee sent to y^e^ proprietor a Copie of what hee wrote. Hee owned that hee had writt They wer bailed, but not by y^e^ Go^r^, & that hee Complained home of abuses he had received here. The Lt. Go^r^ told him that it had been his duty, first to have Complained here for redress of the sd abuses, & when y^t^ was denied him here, It was then time enough to have Complained home. Then the Lt. Go^r^ & Council demanded a sight of the Copies of y^e^ sd Lres, that they might make ans^r^ yrto, if hee had charged ym with any thing. Hee replied they wer at Newyork, but expected ym by y^e^ post, & yn he wold pduce ym.

THen the Lt. Governo^r^ said, that there were other Informaons sent home, viz: that many 100^l^ hhds of Tobacco are Constantlie Shipt from pennsilvania directly for Scotland, & particular men named, & no security taken but beggars, for which bribes taken. That there is an illegal trade from Curasso. That pennsilvania is become y^e^ greatest refuge & Shelter for pirats & Rogues in America, The Go^r^ giving ym Comissions. That a ship Came hither directlie from Denmark with Copper, tin, & other European goods, wch were all unloaden, & the Shipp unrigged before shee was seized. That a briganteen from Newyork took in almost all her Loading of tobacco wtout giving bond or securitie ; & that the bussines making a great noise, The Go^r^ ordered the Collector to seize her, which was done, & preparaon made for a trial, but y^t^ before it Came on, The Go^r^ ordered her to be discharged, & that some of the owners say It cost ym 100ll to clear their briganteen. All which hee, the said Robt. Snead, denied, & said Hee knew nothing of it.

John Moor, a practitioner in Law at the Courts of this province, being sent by the Lt. Go^r^, appeared. The Gor told him y^t^ he understood y^t^ Esq^r^ Randolph had named Him to act as attornie General in behalf of his maty, & told him that hee sent for Him to qualifie him to act accordingly in that station, & to put in Suit some plantaon bonds & other actions y^t^ Esq^r^ Randolph intended to prosecute. The said Jn^o^ Moor refused, becaus Esq^r^ Randolph had required him to prosecute persons to Judgm^t^ & execuon in Cases where hee, the said Jn^o^ Moor, Conceived y^t^ hee, y^e^ sd Esq^r^ Randolph, himself was not Impowered to discharge, or words to that effect.

Adjourned to 20^th^ instant.

20^th^ May, 1698.

Att a Council Held att philadelphia die Veneris, 20^th^ May, 1698.

PRESENT:

WM. MARKHAM, esq^r^ L^t^. Go^r^, et ysdem ut antea, & Jn^o^ Hill, Rich Halliwell, absent.

The Lt. Go^r^ appointed Edw^d^ Shippen, Wm. Biles, Da^d^ Lloyd & Jn^o^

Hill, a Comittee of Council to join a Comittee of Assembly to examin, adjust & bring in an accot of the debts of the governm^{t}, & to report.

Adjourned to 23^{d} instant.

23^{d} May, 1698.

At a Council Held att philadelphia Die Lunæ, 23^{d} May, 1698.

PRESENT:

WM. MARKHAM, esq^{r}. Lt. Go^{r}, et ysdem except Joseph Growdon.

Edw^{d} Shippen, Chairman of y^{e} Comittee of Council & Assembly, appointed to examin, adjust & bring in the debts of the governm^{t}, made Report to the Lt. Governo^{r} & Council, that they found the province to stand indebted to sundry persons in y^{e} sum of ———

Anthony Morris & Cornelius Wiltbank, brought from the Assembly to the Lt. Go^{r} & Council, a Bill for Confirming the Laws of this government, which was read & debated.

Adjourned to 24th instant.

[24th May.

Att a Council Held att philad. die Martis, 24th May, 1698.

PRESENT:

WM. MARKHAM, esq^{r}. Lieut. Governo^{r}, et ysdem ut antea, with Joseph Growdon, Rich^{d} Halliwell, absent.

Sam^{ll} Richardson & Henry Molleston brought from the house of Repsentatives to the Lt. Go^{r}, a bill for Continuing of an act entitled, The Law for the speedy Collecting the arrears of the assessmt Laid anno 1696, which was read & debated.

Anthony Morris & Tho. Oldman brought from the house of Repsentatives to the Lt. Go^{r}, a Bill Supplemental to y^{e} Law ag^{t} Robbing & stealing; as also, y^{e} bill for regulating frauds; Both wch wer read & debated.

Adjourned to 26th instant.

[26th May, 1698.

Att a Council Held att philad. die Jovis, 26th May, 1698.

PRESENT:

WM. MARKHAM, esq^{r}. Lt. Go^{r}, et ysdem ut antea, & R^{d} Halliwell.

Jno Donaldson, Returned by ye sheriff of ye Countie of Newcastle as repsentative in Council, took the usual oaths & test, &c. Caleb pussey & Jno Grubb, from the house of repsentatives, brought to ye Lt. Gor & Council a Bill to encourage bringing in of money to promote trade & ease paymts; as also, a Bill for regulating the streetts & water Courses in the cities & towns of this governmt; both which wer read and debated.

Adjourned to 27th instant.

[27th May, 1698.

Att a Council Held att philad. Die Veneris, 27th May, 1698.

PRESENT:

WM. MARKHAM, esqr. Leivt. Gor.

Samll Carpenter,
Edwd Shippen,
Joseph Growdon,
Wm Biles,
David Lloyd,
Jno Simcocke,
Richd Halliwell,
Jno Donaldson,
Wm Rodeney,
Wm. Clark,
Jno Hill,
John Bewley, Esqr., Collector.

The Lt. Gor delivered to ye Secry certain Letters patent, undr the great Seal of England, wch ye sd secrie read, & by reason that a Quorum of ye Comrs yrin named Could not be gott together at yt time to Swear ye Lt. Gor by virtue of ye sd Lres pat., dated ye 30th of April, in ye 9th year of ye reign of Wm. the 3d, &c. Wm. Markham, Lt. Gor of ye sd province, (by virtue of a Late Comission granted to him by ye Right Honble Wm. Penn, absolute proprietor & Governor of ye sd province of pennsylvania & the territories yrto belonging,) made oath upon the holy Evangells of Almighty God, to do his utmost that all the matters and things Contained in the rexive acts of trade & navigaon in ye sd lres patt & oath annexed Contained, shall be punctually & bona fide observed as yrin is directed. In a full Council held ye sd day, Jno Bewley, Collector, psent, Whereof an Indorsment is made on the sd Lres pat, & Signed by sd Jno Bewley, Collector, Richd Halliwell, Jno Hill, Wm. Rodeny & Jn Donaldson, all four of the Council.

The Assembly having repsented to the Lt. Gor & Council as a grievance, That the ordinarie had required exers of Testator's estates to give securitie att ye office: After a full & free debate yrof in Council, It was ye unanimous opinion & Resolve of ye Lt. Gor & Council, that exers give securitie to the office for the due administraon of the Testator's estate, as admrs do for Intestate's estates.

Adjourned to 28th instant.

[28 May, 1698.

Att a Council Held att philad. die Sabbati, 28th May, 1698.

PRESENT:

WM. MARKHAM, esqr. Lt. Gor, et ysdem ut supra.

The Lt. Gor Resolved ye whole Council Into Comittee, to Join a Comittee of ye whole Assembly, to prepare an address from ym as ye people's repsentatives to his matie, & to make report, &c.

Adjourned to 30th instant.

[30 May, 1698.

Att a Council Held att philad. 30th May, 1698, die Lunæ.

PRESENT:

WM. MARKHAM, esqr. Loivt. Governor, et ysdem ut antea, except Jno Donaldson & Rd Halliwell.

Joseph Growdon, Chairman of ye Grand Comittee of Council & Assemblie, appointed to prepare an address to his matie, made report that they had prepared ye same, which being read & debated, it was ordered that the same should be engrossed & signed by the members of Council & assemblie, & that the secrie should make outt two duplicates yrof, & to be by the Lt. Gor, with the original, sent to England, & that another remain on the file in ye Secries office.

Then the Governor desired Jno Hill to acquaint the assembly that hee waited for them. Who returned, That they wold forthwith attend him.

The Assemblie appearing, Mr. Speaker psented to the Lt. Gor & Council several bills which had past their house. The Lt. Gor said Hee would Cause ym to be read & Considered.

After reading of all ye sd bills by ye secrie, the Lt. Gor, with advice of the Council, rejected & voted outt some of ym, and the remaining six being three times read, wer by them approved of, viz:

The first entitled, The Law for Confirming the Laws of this governmt.

The Second, An act for preventing of frauds & regulating abuses in trade within this province of pennsilvania and Counties annex't.

The third. The Law for the Continuaon of an act entitled, The Law for the speedy Collecting the arrearages of the assessment Laid in 1696.

The fourth. The Law supplemental to the Laws agt Robbing and Stealing.

The fifth. The Law to encourage bringing in of money to promote trade, and make paymts more easie wtin this province & Territories.

The Sixth. The Law for regulating streetts & water Courses in y^{e} Cities & towns of this governmt.

[PETER CLAUSSON.

Upon Reading the petition of peter Clausson, setting forth, That hee has been under Confinement above a year Last past, upon suspition of piracie & as being one of Avery's Crew, & not brought to trial, and yrfor requesting that seeing no accusaon Comes against him, hee may have Licence to depart this governm^{t}.

The petition^{r} on his examinaon, Having confest that hee had been in Avery's ship, but said he was forc't on board, therefor y^{e} Lt. Go^{r} & Council thought fit to reject his petion; But a motion was made that the Lt. Governo^{r} might write to ffr. Nicholson, Go^{r} of Maryland, to order a Court of Admiralty to try this petition^{r} & David Evans.

Adjourned to 31st of May, 1698.

[31st May, 1698.

Att a Council Held att philad. die Martis, 31st May, 1698.

PRESENT:

WM. MARKHAM, esq^{r}., Lt. Governo^{r}.

Sam^{ll} Carpenter,	William Biles,	William Rodeney,
Edw^{d} Shippen,	David Lloyd,	William Clark,
Joseph Growdon,	Jn^{o} Simcocke,	John Hill.

The Lt. Go^{r} desired Jn^{o} Hill & Wm. Rodeney to acquaint y^{e} assemblie that hee waited for ym, Who returned y^{t} they wold forthwith attend him. M^{r} Speaker & the whole house of repsentatives appearing, the Go^{r} desired y^{e} Secrie to read over all y^{e} six bills, which hee did, & yn underwrote each bill in these words, viz: Philadelphia, y^{e} 31st May, 1698. This Bill being three times read, was assented to by the Lt. Go^{r} & Council, & yn y^{e} Lt. Go^{r} past ym all one after another, by signing y^{e} same & affixing thereto the Seal of the province.

The Lt. Go^{r} having read a Lett^{r} from his grace the duke of Shrewsburrie, Concerning pirats & Sea Rovers, issued forth a proclamaon ag^{t} ym, a Copie qrof remains on y^{e} file of y^{e} minuts of this

In ans^{r} to y^{e} assemblie's paper of grievances; To y^{e} first that security was required from exers, the Lt. Go^{r} told ym y^{t} it was y^{e} opinion & Unanimous resolve of y^{e} Council, that exers do & shall give security to the ordinary.

To the 2cond, that the office of p'bates of wills, & granting of Lres of administraon, was at philadelphia only, Hee told ym y^{t} y^{e} sd office should be settled in each Countie rexivly.

To y^{e} 3^{d}, that the Center fair was a nusance, hee told ym y^{t} he wold Leave y^{t} to the care of y^{e} Justices of y^{e} peace.

To ye 4th, yt Jno Claypoole was reputed & convicted of ill-fame, & yrfore unfit to be sheriff, Hee told ym Hee should have a fair Hearing. As to issuing writts for choosing repsentatives for ye Assembly in ye room of those yt had absented ymselves, Hee told ym yt when there was occasion hee should issue such writts to Choose others.

Then ye Gor said: gentl, If you have anie thing else to offerr at this time for the consideraon of ye Council & Assembly, I'm ready to hear you; If not, to dismiss you: they ansred no.

Then ye Lt. Gor said: gentl, I dissolve you, & you are hereby dissolved. Mr Speaker thank't ye Governor and departed.

Then ye Leivt. Governor ordered ye members of Council to attend the publicaon of ye laws, & of a proclamaon agt pirats, to-morrow att ten in ye morning, being 1st June, 1698.

The Gor adjourned ye Council to ye 1st 7br. next.

[15th May, 1699.

Att a Council Held att philadelphia die Lunæ, 15th May, 1699.

PRESENT:

WILLIAM MARKHAM, Esqr., Lieut. Governor.

Samll Carpenter,
Edwd Shippen,
Wm. Biles,
David Lloyd,
Caleb pussey,
Wm. Rodeney,
Richd Willson,
Wm. Clarke,
John Hill.

Upon reading the petion of the Inhabitants of kent County, setting forth that qras there is a certain pcel of land in ye sd County, of 200 acres, on the south side of dover river, neer the bridge in the king's road, qron the Court house now stands, wch ye sd Inhabitants Latelie pchased from Wm. Southbee, for the publick use of the sd County; & qras ye said Land being convenientlie accomodated in all respects for ye good & benefit yrof, and it being highlie necessary that a township, with all other priviledges & benefitts, be erected & established for the good of the said County, with fairs att Convenient times, &c., and the sd Land being convenientlie situated for yt purpose; And yrfor Requesting yt ye sd Land may be from hence forth erected into a township, & called by the name of Canterburry, & that they have a fair yrin twice a year, and that the same may be Laid outt into Lotts, a Coman & market place, as the County Court & grand Jury shall order and appoint, with streets and publick Landings, & yt the freeholders of the said Countie may have their Lotts yrin proportionablie to what they have paid towards it, & that whatsoever else may be necessary & Convenient for ye good & benefit yrof, may be left to the Court & grand Jurie from time to time, as y^{e} same shall be needfull to be done.

Upon reading the within petion, the Leiut. Governo^{r} and Council granted the same as is desired, & that after y^{e} 20th of June next, the within town shall be called Dover.

[ELIZ. CRUCKSHANK's petion.

Upon Reading the petion of Eliz. (Late Cruikshank, now) Hall, exrix. of y^{e} Last will & testamt of Alex^{r} Cruikshank, deced, setting forth y^{t} qras the per's sd husband, deced, by his last will & testamt, did bequeath to his daughter Hesther, a negro girle Hannah, & the rest of his real & psonal estate to yo^{r} pe'r., to be managed by her till her children, in number five, should come to the age of 21, & yn to be equallie divided among ym, & yo^{r} per. to have her thirds att her disposal, & did make her exrix yrof, as by said will appears; and qras, his real estate being a plantaon att passyunk, was apprized att 170£, & his psonal att 480lb. 17^{s}. 10^{d}, in all 550£ 17^{s} 10^{d}, as p. Inventarie appears, and y^{t} shee hath lost by death of negroes & cattle, & paid & disbursed towards paying of debts & educaon, & maintainance of her children, 308lb. 9d, (as p. her accots exhibited to & proved before y^{e} Go^{r}, in presence of Tho. & Eliz, two of her children, now of age, appears,) who pronounced for the validitie of her accots, & ordered yo^{r} per. to make distribution to ym of yr proportions of the remander of y^{e} sd clear estate, after shee had deducted her third p't yrof, according to the sd will: And by which accots there appears to be due from your per. to y^{e} sd estate, to ball 242^{l} 17^{s} 1^{d}, qrof yo^{r} per. is to have one third, is 80^{l} 19^{s}, as p. will, & y^{e} sd five children are to have the remainder, wch is 161^{l} 18^{s} equallie among ym, as they come to age, wch is 32^{l} 7 7^{d} to each one of them, if y^{e} sd plantaon sell for what it's apprized att. And qras, by y^{e} Law of this province about Testats & Intestats estates, It is provided y^{t} after all debts are pd the surplusage or residue (if anie be) of the testator's psonal estate, shall be by the exers divided according to y^{r} Last wills, y^{r} widows having a third of y^{r} psonal estates. And qrby its also provided, y^{t} where y^{e} sd testators or intestators psonal estates are sufficient to pay all y^{r} debts, y^{t} their real estates shall be invested & remain as their Last will & testamts devise y^{e} same, the widow having a 3^{d} p^{t} yrof.

And qras, y^{e} sd psonal estate is not sufficient both to pay y^{e} said Thomas nor Hesther yr proporons of y^{e} sd clear estate, nor to pay her, the sd Eliz. her thirds yrof, no^{r} to bring up, educate & maintain the other 3 youngr children, nor to keep in repair, uphold & save from ruine & destruction y^{e} sd plantaon, nor to improve it to all y^{r} advantages, & that y^{e} sd Thomas is neither willing nor able to pchass y^{e} sd plantaon, outt of which to pay himself, the other children & yo^{r} per's. thirds; but is most willing y^{e} same should be sold for y^{e} purposes aforesaid, wch cannot be done wtout the order of this board; And yrfor, Requesting y^{e} Go^{r} & Council to permitt & allow her, y^{e} per, to sell & dispose of y^{e} sd plantaon, towards the defraying of y^{e} sd proportions, & of yo^{r} pers. thirds, Her owne support, & the maintainance & education of her other 3 children, & the better Improvement of ye remainder to yr advantage.

The Lt. Governor & Council appointed Wm. Biles & Caleb pussey to inspect into & examin the pers. accots, & the truth of the allegaons in ye sd petion menoned, & to make report yrof to this board to-morrow morning.

[DAVID LLOYD's petion.

Upon reading the petion of David Lloyd to the Lt. Gor & Council, setting forth that the per. Hath pchased a Smal pcel of Land att Chester, Called the Green, wch Lyes verie Comodious for building a town. It fronts both to Chester creek & delaware river, & is protracted, & a market place Laid outt, with streetts, by ye Surveyor General, as by the mapp to the said petion annex't appears; And yrfore, desiring this board to allow of & Confirm the sd modell, as the Law in that case directs. As also upon reading a Letter from Mr Jasper Yeates, Directed to the Secry in May, 1699, wherein hee says: Sir—I inclosed send you a petion wch I desire you to prefer to y Gor & Council, in case Mr Lloyd putts anie thing in, or moves to strengthen his title to the green. It appears to be Church Land, becaus it's from ym hee derived his pretended Title; if Mr Lloyd moves not, there will be no occasion to putt foreward the petion. And upon reading the said Jasper Yeates' petion to the Governor & Council, setting forth that hee is informed there is a design on foot by Mr Lloyd, to obtain an act of Assembly to strengthen a pretended title of his to the green Lying before Upland; that the sd Green is realie Church Land, & appropriated by a donation to yt use for ever, And yrfor praying there may be no procedure yron till notice be given to ye psons Concerned, & due time allowed, yt they may Lay before yor Honors what they have to alledge in behalf of the Church.

Upon debate on both the sd petions, The petion of ye said David Lloyd is granted, saving to the proprietor & Gor, & to all other persons, their rights.

Adjourned to ye 16th instant.

16th May, 1699.

Att a Council Held att philadelphia Die Martis, 16th May, 1699.

WILLIAM MARKHAM, esqr. Leivt. Governor, et ysdem ut antea, &c.

Wm. Biles & Caleb pussey, to whom the examinaon of the petion & accot of Eliz. Cruikshank was Comitted, made report, that they had viewed & examined the same, & her stated accots with the vouchers yrof, & found yt shee hath Lost much by the death of negroes & cattle, & been at great charge in maintaining & bringing up her children, & has paid considerable debts; and that there is yrfor a necessitie to sell ye plantation yrin menoned.

Resolved & Ordered, that the sd Eliz (Late Cruikshank, now) Hall & her husband, Richard Hall, with the consent of Thomas Cruikshank, her eldest son, be allowed & permitted, & is hereby, by ye Gor & Council, allowed, permitted, authorized & impowred, to make sale & conveyance to anie psons whatsoever, of the within plantaon att passyunk, with its houses & all its apptenances, Containing —— acres of Land, & —— acres of Marsh, & to ym, yr heirs & assigns forever, towards the defraying the proporons in the sd petion menoned, & of the pers. thirds, her own support, & the maintainance & educaon of her other 3 children, & the better improvment of the Remainder, to their advantage, according to ye Laws & customs of ye sd province. To hold to ye sd purchasers & yr heirs & assigns, in fee simple & estate of inheritance forever, &c.

Upon reading the petion of some of the Inhabitants of Chichester, in the Countie of Chester, Requesting a weeklie markett & two fairs in the year; After a full debate yrupon, The Leivt. Gor & Council granted ym a weeklie market on friday's, to be keept in broad street as is desired.

17th May, 1699.

Att a Council Held att philadelphia die Jovis, 17th May, 1699.

PRESENT:

WILLIAM MARKHAM, Esqr. Leivt. Governor, et ysdem ut antea.

The Lt. Gor acquainted the Council that the proprietor & many others in England, wer dissatisfied about the monies being advanced in this province above the rate putt on it by the nighbouring Colonies, & yt the raising of it might be prejudicial to the proprietor's Interest in the Quitt rents.

It was ye Unanimous Opinion of ye Council, yt the advancing the monie was but a prudential act to keep mony in ye province, & that it was never intended to be prejudicial to ye proprietor's quit rents, nor should it be.

[PETITION about ye streetts.

Upon reading the petion of several of the Inhabitants of the town of Philadelphia, setting forth the neglect of Levelling the streets, & ordering the Currents yrof, & the annoyance of the inhabitants by obstruction of the said Currents, and yrfor requesting ye Gor & Council to appoint psons to remedie ye same, according to Law. Ordered that Edward Shippen, Joshua Carpenter, John Jones, Charles Read, Jno parsons, Wm. Southbee, & Robt. Turner, or anie foure of them, do with all expedion psue ye Law made in the year 1698, entituled The Law for regulating streetts & water-courses in the cities & towns of this governmt; & that they begin with the High-streett Currents in y^e front yrof & Highstreet wharff, The Currents between Robert Yieldall's & the widow Borden's, & the Currentts & wharff by Humphrey & John Morrey's, & Wm. Hearr.

[29th June, 1699.

Att a Council Held att philadelphia Die Lunæ, the 29th day of June, 1699.

PRESENT:

WM. MARKHAM, Esq^r. Leivt. $Governo^r$.

Sam^{ll} Carpenter,	William Biles,	Caleb pussey,
Edward Shippen,	David Loyd,	

Upon reading the petion which Robert Brandingham & William Stanton (prisoners in the Countie goal of philadelphia, upon suspition of piracy) did exhibit to the $Governo^r$ & Council for a speedie trial; & Jn^o Tudor of Newyork being heard in their behalf, & the mater debated, and this board being informed that the Lord Bellamont, Go^r of new york, has a proclamaon from his matie for pardoning such pirats as shall surrender ymselves within a Certain time yrin mentioned, (with an exception of Avery and kidd,) It was resolved that care be taken to obtain the Certaintie of the Contents of y^e sd proclamaon, if anie such be, and that then further answer be given to the sd petion.

30th July, 1699.

Att a Council Held att philadelphia die Lunæ, y^e 30th day of July, 1699.

PRESENT:

WILLIAM MARKHAM, esq^r. Leivt. $Governo^r$.

Sam^{ll} Carpenter,	David Loyd,	Caleb pussey.
Edward Shippen,		

Upon reading a Letter from Richard Halliwell, one of the Justices of the peace of y^e Countie of Newcastle, directed to the Leiut. $Governo^r$, in these words, viz: Honoured Go^r, Sir, This Comes to acquaint yo^r Honour that this day was several evidences taken before me relating to several words & passages that happened upon y^e water yesterday, betwixt M^r Birch, Collector, & Several other persons in another boat, bound up the river. M^r James Meinzies, being one that was accused for words & act, being this day in Newcastle, was bound in ye sum of five hundred pounds, with securitie, for his appearance before yor Honr before the first day of Augt next, to ansr to such matters as shall be objected agt him. I have given Mr Meinzies a copie of the whole accusation, & Coll. Quarrie another, keeping the original my selfe, Leaving the prosecution of the matter to yor Honor's discretion. I confess its a thing not practicable; but wee having no king's attornie, the Last provincial Court to prosecute what was there cognizable, Could see no way more Safe & expeditious than to referr ye matter to yor Honr. Sir, if you think reasonable to have the original affidavits, they shall be sent, when yor Honr Comands them from your most Humble Servant.

RICHARD HALLIWELL, Newcastle,
July ye 27th, 1699.

Upon reading the petition of James Meinzies of Boston, to ye Lt. Governor & Council, Setting forth that hee being imployed by Mrs John Boreland & Jno Maxwell of Boston, merts, to receive several debts due to ym in these parts of America, & according to their Letter of attornie, hee received in west Jersie about 300£ due to ym, Which Sum yor petitioner Carrying along with him in a boat, from the Lower parts of West Jersie to philadelphia, where hee was to dispose of ye same for his Constituents, according to their order, One Mr Birch of Newcastle, with 3 or 4 men more, Came out in a boat from Newcastle upon ye 26th of July instant, & came up with the boat in which yor petitioner & several others were, and demanded from whence they Came; to whom it was answered from below; & Birch asking what Loading was in ye boat, Hee was told there was none but Cloathes; and hee desiring to know what was in the Chest that was in the boat, the same being opened, hee saw the monie, which yor petitioner told belonged to Mr Jno Boreland, & tooke up one of the baggs marked with I. B. and the sd Birch desiring ym to go with him to the key att Newcastle, which they could not do, both wind & tide being agt ym; The petitioner told him hee was bound to philadelphia, & if hee pleased to Come on board hee might see what was there; and yor per. being a stranger, & seeing neither the king's Jack on board wt sd Birch, nor anie power nor Commission hee had for stoping ye boat yor per. was in, Wee turned our boat & came towards philadelphia; and the day after yor petitioner being att Newcastle about his Lawll bussines, Upon informaon by said Birch to Justice Halliwell, ther wer several affadavits taken, & yor per. obliged to enter into recognizance for appearing befor the Honord Lt. Gor before ye first of Augt next; and ther being as yet no Crime Laid to yr petitioner's charge, nor anie pson appearing to accuse him, & a great part of the affadavits being false, as yor per. can make appear by the testimonies of psons of undoubted fame, who wer in ye boat with him, and yrfor requesting ye Gor & Council, upon due Consideraon of ye premisses, to dismiss ye per. & discharge his bail, and yor per. shall pray, &c.

Upon full debate on both, It was resolved that (in respect the said Justice Halliwell had not certified ye Complaint to ye Gor & Council) the sd James Meinzies should be bound with sureties, to appear before ye Gor & Council ye 8th ensuing, to ansr ye same, and yt a wrant be issued from ye Lt. Gor, under his hand & seal of ye province, requiring ye sd Justice Halliwell, & Mr Mathew Birch, Collector of Newcastle, to appear before him & Council ye sd day, bringing wt ym ye original affidavits taken agt ye sd Ja. Meinzies & the other psons yrin named, with all other papers, psons & witnesses relating to ye sd matter.

Adjourned to ye 8th of August next.

Att a Council Held att philadelphia, die Martis, 8th of August, 1699.

WM. MARKHAM, esqr, Leiut. Governor.

Samll Carpenter,	Wm. Biles,	David Lloyd,
Edwd Shippen,	phineas pemberton,	Caleb pussey,

Henry Mallows, messr of ye Council, to whom ye abov sd warrt was directed, did return ye same to the Lieut. Governor & Council, dulie executed. The sd Richd Halliwell & Mathew Birch (with Coll. Quarry, who told ye Lt. Gor & Council yt he was Comanded by ye sd Birch, Collector, to appear wt him att this board on his maties behalfe) appeared, and sd Justice Halliwell delivered to ye board ye original affidavits of Jacob Boditt, James Hunt, & Harman peterson, taken before him, agt Ja. Meinzes, Ja. Howe, Ja. m'Colme, Edward Robinson, Jno Hues & Tho. Rogers, two boatmen, & one ———, Boatswaine, of ye ship———, Which having been read, The Lt. Gor told Mr Birch, Collector, yt if hee had been abused in the execuon of his office by all or any of ye sd psons, the acts of navigaon did prescribe how, where & when, & by whom they should be tried, & yt it was not cognizable before this board. But since it was brought hither by mistake of ye Justice in his duty, hee should have Libertie to prosecute ye sd psons att anie Court in this governmt, & yet hee was readie to bind over so manie of ym as was in his governmt to answer ye same.

To which ye sd Mr Birch, Collector, replied that hee thought it not reasonable yt hee should prosecute ym att his owne charge. The Leiut. Gor advised him to Consider of it, & told him hee wold send ye attornie general to assist him. The sd Birch went forth with Coll. Quarry to advise, who returning, desired that all these might be bound over wch are Contained in ye affidavitt, att ye next Court of quarter sessions to be held att Newcastle, which was granted.

Accordingly, ye sd James Meinzes recognized himselfe in 300£, and Charles Sanders, his securitie, in 200£, to his matie, that the sd James Meinzies should appear att ye sd Court ye sd day, & there ansr ye Complaint of ye sd Collector, & not depart ye Court wtout Licence.

Then ye Lt. Gor desired ye messr of the Council to Sumons Edward Robinson & James McColme, to appear att this board to-morrow morning.

Coll. Quarry said, yt hee had Latelie been in Virginia & Maryland,

& there had heard yt ye Gor there intended to secure ye psons & effects of all psons suspected of piracie, Untill his maties pleasure be further known, & yt hee had Consulted his Comission of Judge of ye admiraltie, & found yt notwtstanding ye Law past here by advice of the Honoble ye Lords Comissioners of ye plantaons, ansrable to ye Jamaica act, yt hee had not power yrby of trying piracy, but had writt to Secrie Vernon yrof, & ye Lords of ye admiralty. And then he sd that hee himself was a Considerable trader in this province for himself & several others in England, & yt hee had some vessells now at sea on yt accot, & yt tho' hee expected some dayly, yet was afraid yt ye first news hee should hear of ym wold be that they wer taken by pirats, & yt they had of Late grown so numerous & insolent, that they spared not even his maties Chambers & ports where shipps of warr are numerous, & that they had Comitted several murthers on board his maties shipps of Warr.

To all which the Lt. Gor replied, that hee had secured all that he could heare of yt wer suspected of piracie, wt yr effects, & had sent advice yrof to England, & yt hee wondered yt Coll. Quarry, by him self or his deputie, Robt. Snead, had apprehended two psons upon suspition of piracy, & had possessed ymselves of yr effects, & not trusting ym to ye Justice of this governmt, (tho' apprehended in it) nor acquainted ye governmt with it, Sent ym outt of it to West Jersie, which act of Coll. Quarrie's, or his deputie's, was by ye Gor & Council resolved not in ye power of ym to do, & a Contempt of this government.

Upon reading the petion of Robt. Brandingham & Wm. Stanton, prisoners in ye Countie goal of Philadelphia, upon suspition of piracy, setting forth yt yr estates wer seized & detained from ym, tho' nothing had been proved agt ym, & yrfor requesting they may be discharged, & yr monies & goods restored to ym, or admitted to a speedie trial, & in ye meantime to be allowed bail for yr psons & estates.

The Lt. Gor & Council being informed yt notwtstanding ye pers. wer Comitted Close prisoners, yet they went att Large about ye town. Jno Claypoole, Sheriff, appeared, & ye Lt Gor acquainted him yt great notice was taken & Complaint made yt Robt Brandingham & Wm. Stanton, who had been Comitted prisoners to ye Countie goal of Philadelphia upon suspition of piracie, had great Libertie, & went about the streetts verie often att Large. To which the sheriff replied, that they never went wtout his Leave, & a keeper, wch hee thought might have been allowed in hott weather.

Whereupon the Lt. Gor strictlie charged him that those persons yt had been Comitted for suspition of piracie & other felonious acts, should be keept Close prisoners, & yt hee be verie watchfull yt they make not yr escape, to ye scandal of ye governmt.

[9th August, 1699.

Att a Council Held att philadelphia die Mercury, 9th August, 1699.

WILLIAM MARKHAM, Esqr. Lieut. Governor.

Samll Carpenter, phineas pemberton, Caleb pussey.
William Biles, David Lloyd,

According to an ordr of Council ye 8th instant, appeared Edward Robinson & John McColme. The Lieut. Governor told ym yt yr had been affidavitts taken agt ym & some others, before Justice Halliwell, for abusing Mr Birch, Collector of Newcastle, in the execuon of his office, & yt it was ye sd Collector's desire yt ye psons in the sd affidavitts named should be bound over to ansr his Complaint att a Court of Quarter sessions to be held att Newcastle ye 15th instant.

Accordinglie the said Edward Robinson recognized himself in 300£, & Ja. M'Colme, his securitie, in 200£, to his Matie, yt sd Robinson should appear att sd Court ye sd day & ansr ye sd Complaint, & not depart Court wtout Licence.

As also, ye sd James M'Colme recognized himself in 300£, & Edwd Robinson, his securitie, in 200£, to his Matie, yt ye sd James M'Colme should appear att sd Court sd day, & ansr ye sd Complaint, & not depart ye Court wtout Leave.

Upon reading the petion of David Evans, setting forth that having been inprisoned in ye Countie goal of philadelphia about 18 mo's. past, upon suspition of piracie, for which hee had been tried & acquitted in England, as by ye oathes of several psons had been made appear, Which if not thought sufficient, the petitioner could produce others that were att his trial, yt could wittness ye same; And yrfor, desiring this board to Consider his Long confinement and relieve him. Itt was the opinion of the Lt. Gor & Council, that ye per. has had time enough since his confinement to procure Certificats from England of his trial & discharge, and yt in ansr to his petion, when ye manner, method & time of ye trial of him & others, suspected of piracie, shall be concerted & agreed on, Hee should then, with others, have such relief as the Law allows.

Upon reading the Complaint of some of the inhabitants of Newcastle town to ye Gor & Council, in these words: Wee, the inhabitants of ye Countie of Newcastle, humbly psent, yt whereas, about ye end of Augt, 1698, a Company of pirats To ye number of about 80, in a ship, Came wtin the Capes of Delaware, went ashoar & plundered ye town of Lewis, Carying away what they pleased, & had a design to come up to ye town of Newcastle to do ye Like, but accidentalie meeting with a ship in ye bay which brought passingers from Holland, whom they forced to furnish ym wt provisions & other necessaries, otherwise they wold have seized her; And Likewise, since the 20th of June Last past, the briganteen Sweep Stakes, belonging to Col. Webb, Late Gor of providence, ryding before ye town of Newcastle, mounted with six guns, ritchly loaden, ready the next day to sail for England, was in the night time, by ye vessels Compa. of sailors & others, to ye

[22^d^ Decemb^r^, 1699.

Att a Council Held att philadelphia die Veneris, 22^d^ Decemb^r^, 1699.

WM. PENN, pror & Go^r^, et ysdem ut antea.

The mess^r^ of the Council acquainted ym y^t^ Anthony Morris, one of the Justices of peace for philad. County, desired admittance, which being granted, said That hee had for some years past served y^e^ king & Country as such to his great trouble & private detriment, and then delivering to ym 4 paps. relating to y^e^ goods of one Robt. Adams of Boston, y^t^ in June, 1698, had been seized by the king's Collectors here, & by ym, by a warr^t^ from sd Coll. Quarry, delivred into y^e^ hands of Robt. Webb, marshall of y^e^ admiraltie, & wch had been (by a warr^t^ of replevin signed by him, sd Anthony) replevied and taken outt of the hands of sd Marshall, And yrfor, y^t^ hee now came befor ym to Lay down, & did lay down, his Comission of Justice; and further said, y^t^ hee granted & signed y^e^ sd replevin in psuance (as hee thought) of his duty, believing hee was in the right, & y^t^ hee was induced yrto by advice of those that hee thought wer well skilled in y^e^ Law, who told him y^t^ it was the priviledge of the subject; and further said, y^t^ hee had no interest in the owner nor goods, nor no self by nor sinister end in so doing.

To whom the pro^r^ & Go^r^ made ans^r^, That his signing y^e^ sd replevin was a verie indeliberate, rash & (in his opinion) unwarrantable act, which hee, sd Anthonie, could not justifie, & yet hee wold be so farr from Justifying itt, that tho' hee could not deliver back Into y^e^ hands of y^e^ admiraltie y^e^ sd goods, (they being long since delivered to the supposed ower, on securitie given to the Sheriff,) yet he wold deliver into y^e^ Judge of y^e^ admiraltie's hands, & into y^e^ power of y^r^ Court, the 2 invries & appraismts of sd goods, & y^e^ obligaon given by sd Adams & his sureties to y^e^ Sheriff of philad, for 327ll. 8s. 6d Then sd Anthony was desired to withdraw; which hee did.

Upon notice given yesterday to Coll. Quarrie, hee this day appeared, To whom the pror. & Go^r^ having opened his, the Council & govermts most sincere intentions, by all Law^ll^ means, to discourage, discountenance & severely punish piracy & Illegal trade, Hee desired y^e^ sd Coll. to be assistant in proposing such expedients as might be most Conducive yrto, & y^t^ hee & all others the king's officers & y^e^ govmts', might go on hand in hand in securing the king's interests in this govm^t^. To wch y^e^ sd Coll. ansred, y^t^ the matter being weightie it required thought, & y^t^ after some consideraon, hee wold propose to ym what in his opinion wold be most effectual for these ends.

Then y^e^ pro^r^ & Go^r^ deliverd to sd Coll. Quarry 4 paps. relating to the sd replevin, telling him y^t^ tho' y^e^ goods in kind were Long since delivered to y^e^ ptended owner, & so outt of his power, yet hee delivered to him the Invrie, 2 appraismts, & sd Adams & His sureties obligaon for y^e^ sd sum, & desired y^e^ secrie to take Copie of sd 4 paps. wt Coll. Quarrie's receit for y^e^ same, to remain on y^e^ file of minutes of Council.

Upon reading the petion of Robt. Brandingham, prison^{r} in y^{e} Countie goal of philad, upon suspition of piracie, setting forth his Hardship by being confined in these Cold nights to a Low room, wtout fire, & for want of monie to support him; And therfore desiring to be allowed a warmer room, & a Little of his owne monie (hee having a Considerable sum in y^{e} Late Lt. Go^{r} Markham's hands) for his subsistence.

Ordered y^{t} sd Coll. Markham Let y^{e} per, or his ordr, have 12s. weeklie to subsist on.

Adjourned to 1st January, 1699–1700.

[PENNSILVANIA, SS. 10th May, 1699.

Att a Council Held att philadelphia die Mercury, 10th May, 1699.

PRESENT:

WILLIAM MARKHAM, Esq^{r}, Lieut. Governo^{r}.

The Sheriff of the Countie of philadelphia his Return of repsentatives for Council was produced, qrby it appeared that there wer elected Sam^{ll} Carpenter & Edw^{d} Shippen, Who appeared.

The Sheriff of the County of Bucks His return of repsentatives for Council was produced, qrby it appeared that there wer elected phinehas pemberton & Wm. Biles; y^{e} last appeared.

The Sheriff of the County of Chester his return of repsentatives for Council was produced, whereby it appeared that there wer elected David Lloyd & Caleb pussey, who appeared.

The Sheriff of the County of Newcastle His return of repsentatives for Council being called for, The Secrie produced a Lett^{r} from Joseph Wood, then Sheriff of the sd County, dated 13th March, 1698–9, directed to him, wt half a sheet of paper, all blank; and in the Letter it was said: "I here inclosed send you the return of the names of the "Council & Assembly men Chosen here the 10th of this instant. To "give you anie reason for such an election is beyond my power: "Have had no discourse with anie of the electors about it."

The Sheriff of the Countie of kent his return of repsentatives for Council was produced, whereby it appeared that ther wer elected Wm. Rodeney & Richd. Willson, who appeared.

The Sheriff of the Countie of Sussex his Return of repsentatives for Council was produced, whereby it appeared that there wer elected Wm. Clark and John Hill, who appeared.

The sd Wm. Biles, Sam^{ll} Carpenter, Edw^{d} Shippen, David Lloyd, Caleb pussey, & Wm. Clark, did subscribe the declaraon of fidelity, The profession of the Christian belief & the test, & took their places att the board number of 13, piratically taken away, foure of which vessells Compa. wold not Consent to y^e said piracie, so wer sett on shore. All which wee are verie sensible of and know, the greatest encouragments to such attempts hath been & is the incapacitie wee are in to prevent the Like, Having neither fort, castle nor breastworke, to Comand anie ship or vessell; no militia, arms, nor ammunition to make use of on anie occasion; And It is also manifest unto us, that the same Unlawfull & piratical practice may be as well putt in practice any time of y^e day, tho' it be 100^l miles up y^e river, as in the dead of the night, here being no provision to prevent y^e same, so y^t both our Lives, Liberties and estates, have hitherto Lyen open, & still do remain defenceless & void of protection, & ever exposed to y^e wills of such mercieless wretches, who are a plague to all honest endeavours & a Continual terror to our peace & tranquillitie, which wee humbly referr to yo^r Serious Consideraon, & of right desire y^t such care may be taken y^t o^r Lives and estates may not remain in such Imminent jeopardy and danger, but y^t wee may be defended as his ma^{t}ies Lawfull subjects: subt. by 25 psons of y^e sd town.

The above petion having been read and Considered, It is the opinion of this board that whatever encouragm^t pirats may take by o^r not having forts & castles, &c. Wee find y^t bolder attempts than what is in the wtin petition instanced, has been made wtin ports of great fortitude and strength, even in those places (as wee are informed) Called the king's chambers, where shipps of warr are numerous; and this board does not understand that the forts of Virginia & Marie Land, wch are Colonies of Long standing, and inhabited by psons of great estates, & bring vast revenues to the Crown, are much more formidable than the fort of Newcastle hath been, & if it's now delayed, the Inhabitants of y^t place are accountable for it. And if this Countrie wer able to build great Castles & forts of strength, yet if y^e people are not also able & capable (as they are not) to maintain such posts, It is y^e opinion of this board, that it may prove more prejudicial to y^e king's interest, & Hazardous to his subjects here, then if there be no such fortresses. And as for a Militia, it is the opinion of this board that its a more proper subject for the Consideraon of a general Assemblie, where the petitioner's might have taken y^r opportunitie to propose it in May Last, had they & the rest of the Inhabitants of Newcastle Countie. done y^r dutie in electing & sending y^r repsentatives to assist & advise y^e Go^r att y^e said Assembly, in things pertaining to the king's service. & good & saftie of y^e govern^t, which they obstinatle refused.

Upon reading the petion of Sam^{ll} Hadden to y^e Lt. Go^r & Council, setting forth y^t hee was encouraged in England by Sam^{ll} Cart, that if hee Could procure him 17 passingers for pennsilvania, y^t then hee should have his owne passage free, & his wife's & 4 children's for 15£ st. they taking up but two Cabbins & in one mess; Upon which encourgm^t, y^e petitioner having disposed of his effects, brought them, with his familie and 17 passingers, to Bristow, a Journie of 70 miles, & putt his goods on board by sd Cart's order, paid in the 15ll, and that afterwards ye said Cart wold not suffer ye pers. wife nor children to go on board unless hee wold first pay 5ll. for his owne passage, and as much for each one of his children; and yt yrupon ye per. demanded his goods ashoare again, wch Cart denied him; and yt ye per. having but three pence Left, was forced to sell his children, one for nine & the other for tenn years, or else stay in England, when his whole substance was Caried elsewhere; And yrfor Requesting ye Gor & Council to Order His Children to be returned him, or else yt they order him satisfacon some other way. Samll Cart appearing and having heard ye sd petion read, & after a tedious dispute on ye matter between the per. and the sd Samll Cart, They both submitted ye difference to ye Lt. Gor & Council (the per. being poor & not able to go to Law.)

Whereupon, it was ordered yt the sd Samll Cart do return to ye sd Samll Hadden his son Adam Hadden, & yt the sd Samll Hadden give securitie to Samll Cart to pay him eight pounds, and yt ye said Samll Cart allow to James peters of Bristow, 10li. 10s. in Bristow, in Consideraon of his Laying down 5li. 10s. in Bristoll for ye sd Adam Hadden's passage, att ye sd Samll Hadden's request.

[21st Decembr, 1699.

Att a Council Held att Philadelphia die Jovis, 21st 10th Mo., December, 1699.

PRESENT:

The Honble WM. PENN, Absolute Proprietor & Governor in Chief of ye province of pennsilvania and the territories yrto belonging.

Edwd Shippen,
Samll Carpenter,
Caleb pussey,
Wm. Clarke,
Wm. Biles,
David Lloyd,
Pat. Robinson, Secry.

The pro'r & Gor Having repsented in Council the resentmt of or supiors in England, of the Countenance said to be given here to piracie & illegal trade, as by accot from some of the king's officers in these pts is suggested,

It is Resolved, yt a proclamaon be forthwith Issued for discouragmt yrof, & yt further expedients be thought on concerning ye same, & that Coll. Quarry, Judge of the admiraltie, have notice to attend this board att the 3d houre to-morrow, p. m. to offerr what hee may think fitt in yt behalf.

Adjourned to ye 22d instant, hora 2da p. m.

The sd Jn^o Hill, Wm. Rodeney & Rich^d Wilson took the oaths appointed by act of parliam^t to be taken instead of allegiance and supremacie, & subt. the test, & took y^r places att the board.

AND THEN WER PRESENT, viz:

William Biles,
Sam^{ll} Carpenter,
Edward Shippen,
David Lloyd,
Caleb pussey,
Wm. Rodeney,
Richard Wilson,
William Clark,
John Hill.

The Sheriff of the Countie of Bucks his Return of Repsentatives for Assembly was produced, whereby it appeared that there wer elected John Surkett, Enoch Yardley, Jn^o Swift & Rich^d Hough. The first two appeared.

The Sheriff of the Countie of philadelphia his Return of Repsentatives for Assembly was produced, whereby it appeared that there wer elected Anthony Morris, James ffox, Isaac Norris, Jn^o Bevan, who appeared.

The Sheriff of the Countie of Chester his Return of repsentatives for Assembly was produced, whereby it appeared that there wer elected John Blunston, Robert pile, Jn^o Worrola & Robert Carter, who appeared.

The Sheriff of the Countie of kent His Return of Repsentatives for Assembly was produced, qrby it appeared that there wer elected John ffoster, Tho. Sharp, Henrie Molleston, & James Brown. The first two appeared.

The Sheriff of the County of Sussex his Return of repsentatives for assembly was produced, qrby it appeared that there wer elected Wm. Biles, Wm. ffisher, Nehemiah ffield & Wm. Dyre. The first three appeared.

The sd Jn^o Surkett, Enoch Yardley, Anthony Morris, James ffox & Isaac Norris, Jn^o Bevan, Jn^o Blunston, Rob^t Pile, Jn^o Warrila, Rob^t Carter, Wm. Piles, John ffoster, Tho. Sharp, Wm. ffisher & Nehemiah ffield, did subscribe the declaraon of fidelitie, profession of the Christian belief & the test.

All which members of Assembly that wer Returned and appeared, being thus qualified, The Lt. Go^r said: Gentl, I desire you to go together & choose yo^r Speaker, & return him to mee in Council as soon as you can, Who departed.

The Go^r Ordered the Secrie to write a Lre to Jn^o Swift & Rich^d Hough, to Command ym to make y^r appearance in Assembly, Which hee did.

Adjourned to the 11th instant, &c.

[11th May, 1699.

Att a Council Held Philadelphia die Jovis, y^e 11th May, 1699.

PRESENT:

WM. MARKHAM, Esqr. Leiut. Governor.

Samll Carpenter,
Edwd Shippen,
Wm. Biles,
David Loyd,
Caleb pussey,
Wm. Rodeney,
Richd Wilson,
Wm. Clark,
John Hill.

John Swift & Richd Hough, two of the members of Assembly for Bucks County, appeared & subt. the declaraon of fidelitie, profession of the Christian belief, & took the test, and wer sent to the House of representatives.

Anthonie Morris & Nehemiah ffield, acquainted the Lt. Gor & Council that the members of Assembly wer ready to wait upon him. The Lt. Governor & Council, Returned that they wer readie to receive ym.

Then Jno Blunston, accompanied by all the repsentatives of Assembly, acquainted the Lt. Gor that they had made choice of him for their Speaker. The Lt. Gor replyed that hee was well satisfied with their choice.

Then the Lt. Gor said: Mr Speaker & you gentl of the Assembly, Before wee go upon anie other bussines, I think it meet that you inquire into the reason of the absence of Several members of yor house, & wee shall do the same here, and I shall signify to this board what I know in relaon to the sd absence, and if you think fitt, I shall appoint a Comittee of the whole members of Council to join a Comittee of the whole members of Assembly, to be a grand Comittee, to inquire Into ye same. The Assembly departed.

Then the Lt. Gor read a Letter from Major Jno Donaldson, of Newcastle, directed to Him, dated ye 18th April, 1699; & another dated the ——— day of ———, 1699; & Recomended ym to the Consideraon of the said grand Comittee.

The messenger was by ye Gor sent to ye Assembly, desiring ym to send two of their members to him in Council. Jno Bevan & Anthony Morris came.

The Lt. Gor told ym that hee intended to resolve the whole members of Council Into a Comittee, to Join a Comittee of all ye members of Assembly, to be a grand Comittee, to inquire Into & Consider of the reasons of ye absence of some members of Council & Assembly, & of ye sd 2 Lres, and desired the Assembly to do ye same.

It was ordered that the whole Council resolve itself into a grand Comittee to Join a Comittee of all ye assembly, to inquire into & consider of the absence of ye sd members & of ye sd Lres, & to make report to this board to-morrow morning.

Adjourned to ye 12th instant.

[12th May, 1699.

Att a Council Held att philadelphia die Veneris, 12th May, 1699.

PRESENT:

WM. MARKHAM, esq^{r}, Leiut. Governo^{r}, & all the members ut antea.

Wm. Clark, Chairman of y^{e} sd grand Comittee appointed to inquire into & Consider the reason of the absence of so manie members, made report in writting, viz: The Letters from John Donaldson directed to thy self, as also that of Joseph Wood, directed to the secrie, wch wer recomended to our Consideraon, wee have perused,& do resent y^{e} same as a great indignitie & High misdemeanor ag^{t} y^{e} governm^{t}, as also that the wtstanding, preventing or discouraging or elections of repsentatives for Council & Assemblie, is of verie ill consequence, & may tend to the subversion & overthrow of the frame & constituon of this governm^{t}, & prove destructive to the rights & Liberties of the freemen & inhabitants thereof. Therfore, wee are of opinion, y^{t} y^{e} sd Jn^{o} Donaldson & Joseph Wood ought to be forthwith sent for, to ans^{r} y^{e} premisses before this general Assembly, and y^{t} some suteable provision be made this sitting to pvent such miscarriages for y^{e} future. WM. CLARK, Chairman.

THen the Lt. Go^{r} resolved the Council Into a Comittee to join a Comittee of Assembly, to hear the defences of y^{e} sd Jn^{o} Donaldson & Joseph Wood, who casually wer in town, to-morrow morning, & desired John Hill & Richd Wilson to acquaint the Assembly yrof, & the messinger to acquaint y^{e} sd Jn^{o} Donaldson & Joseph Wood ther with.

Adjourned to the 13th instant.

[13th May, 1699.

Att a Council Held att philadelphia die Sabbathi, y^{e} 13th of May, 1699.

PRESENT:

WM. MARKHAM, esq^{r}. et ysdem ut antea.

Phineas Pemberton, a member of Council for the Countie of Bucks, appearing, subt. the declaraon of fidelitie, profession of the Christian belief & the test, and took his place att the board.

The Comittee of Assembly, viz: Jn^{o} Blunston, Speaker, Anthonie Morris, James ffox, Richd Hough, Thomas Sharp & Wm. Piles, came (att the Go^{rs} request) into Council, and major John donalson being called and appearing, and the above said Lre of 26th of April having been read, Hee made ans^{r} that hee wrote it to the Go^{r} as a private pson, & did not think it wold be exposed, & y^{t} hee intended no reflection nor ill to the governmt yrby, & did assure that he ever had been & was then verie affectionate both to the proprietor & His governm^{t} & y^{e} Lt. Go^{r}. The Lt. Go^{r} and Council taking this ans^{r} Into Consideraon, dismist him.

Joseph Wood being called & appearing, the said Lett^r of his to the secrie Having been read, & the blanck half sheet of paper shown him, Hee made ans^r that hee intended no affront to nor slight of the governm^t, but what hee wrote was only jocular, & was sorrie that hee had given ym any offence yrby; which answer being Considered, hee was dismist.

Adjourned to 15th instant.

[15th May, 1699.

Att a Council Held att Philadelphia die Lunæ, 15th May, 1699.

PRESENT:

WM. MARKHAM, esq^r, Lt.Go^r, et ysdem ut antea, & phinehas pemberton.

Anthony Morris & James Fox, from the House of Representatives, requested the Go^r wold appoint a Comittee of the Council, to join a Comittee of Assemblie, to consider of y^e amendment of some laws, & the making some new ones.

Resolved y^t the whole members of Council be a Comittee to join a Comittee of y^e House of repsentatives to consider as is desired, & to make report.

Upon reading the petion of Lassey Cock to the Lt. Go^r & Council, about some money due to him, Itt was recomended to y^e assembly for y^r allowance.

Upon reading the petion of Charles Sanders & other merts, about prohibiting skins to be caried out of this into any other province, as also y^e franckford petion about Hoggs; Both wer recomended to the assembly.

Upon reading the memorial of M^r Duncan Campbell, attornie for Coll. Andrew Hamilton, about y^e Sallary of 20li due to him for support of the post, for y^e year 1698, The same was by y^e Lt. Go^r & Council sent to the house of representatives, to be by ym allowed as a debt due by the governm^t.

Adjourned to 17th instant.

17th May, 1699.

At a Council Held att philadelphia die Mercury, 17th May, 1699.

PRESENT:

WM. MARKHAM, esq^r, et ysdem ut antea, except phineas pemberton.

Wm Clark, Chairman of the grand Comittee of Council & assemblie, appointed to consider ut supra, made report to the Gor & Council that they had proposed several amendments of some laws & some new ones to be made, which the members of Comittee for Council Left to the repsentatives of Assembly to be drawen up into Laws.

Anthony Morris & James ffox brought some bills from the house of repsentatives to the Lt. Governor & Council for their assent.

John Swift & Isaac Norris brought some more bills from the sd house to the Lt. Gor & Council for their assent, which with the former, wer read, considered & amended, & sent back to the house of repsentatives, wt yr rexive amendments.

Adjourned to the 18th instant.

[18th May, 1699.

Att a Council Held att philadelphia die Jovis, 18th of May, 1699.

PRESENT:

WM. MARKHAM, Esqr, Leiut. Governor.

Samll Carpenter,
Edward Shippen,
William Biles,
David Lloyd,
Caleb pussey,
Wm. Rodeney,
Richd Wilson,
Wm. Clark,
John Hill.

The Lt. Gor desired Wm. Biles & David Lloyd to acquaint the Assembly that Hee & Council waited for ym; Who returned that they wold forthwith attend him.

The Assembly appearing, Mr Speaker psented to ye Gor & Council ten Laws wch had past their house. The Lt. Gor told ym Hee wold cause ym to be read & considered.

After reading of all the sd Bills three times by the secrie, They wer by ye Lt. Gor & Council approved of and assented to.

The first entitled, An act concerning elections of repsentatives in Council & Assemblie.

The 2d, The Law for the continuation of an act entituled The Law for the speedie Collecting the arrearages of the assessment Laid in the year 1696.

The 3d, An act for raising the rate of one penny p. £, & six Shills p. head, &c. for the support of ye governt & the paymt of the debts & defraying the necessarie charges yrof.

The 4th, The Law for regulating bread, flower, & tobacco casks to a certain guage, the better to inforce a Law made in the year 1693, entituled The Law about casks & packing meat for transportaon.

The 5th, The Law agt pirats and privateers.

The 6th, The Law for Impowering the Justices in each Countie to

Lay outt & Confirm all roads except the king's high-ways & publick roads.

The 7th, The Law for regulating ordinaries.

The 8th, The Law for appointing an officer to rectifie & stamp all money weights.

The 9th, The Law to prevent the Running of Stone Horses att Large.

The 10th, The Law about attachments & Sumons.

All which wer by the Lt. Governor and Council approved of.

Then ye Lt. Governor desired John Hill & Wm. Rodeney to acquaint the Assembly that Hee and Council waited for ym. The Assemblie appearing,

The Gor desired the Secrie to read over all the sd ten bills, wch hee did; and then underwrote each bill in these words, viz: The 18th day of May, 1699. This bill being three times read, was assented to by the Lt. Gor & Council, and then the Gor past ym all One after another, by affixing yrto his hand, & Seal of ye province.

Then the Lt. Gor ask't both Council & Assembly whether they had prepared anie other bills for his assent, or whether they had anie other bussines for this time, who answered No. Then the Lt. Gor said: Gentl, I do dissolve you, & you are hereby dissolved.

The end of the Sixth sessions of Council & Assembly.

[1st January, 1699-700.

Att a Council Held att Philadelphia die Lunæ, 1st January, 1699-1700.

PRESENT:

WM. PENN, pror & Governor, et ysdem ut antea, except Wm. Biles.

The pror & Gor Having proposed to ye Council the necessitie of calling a genrll Assembly, qrin to take further measures for preventing & suppressing piracie & illegal trade; And after some debate yron, Hee desired ym to consider of it, & to be readie next Council to give him yr best advice yrin.

The pror & Gor also proposed that there might be a certain day in ye weeke fixed to hold Council on.

Resolved yt ye Council meet on ye 4th day of each week, 10 A. M. & oftener if occasion be.

Adjourned to 3d instant.

3^d January, 1699-700.

Att a Council Held att Philadelphia die Mercury, 3^d January, 1699-700.

PRESENT:

WM. PENN, pror. and Governo^r.

Sam^ll Carpenter,	David Lloyd,	Wm. Clarke.
Edward Shippen,		

The pror. & Go^r acquainted the Council y^t hee had re'd. from Rt. Turner, G^r Jones, Fr. Rawle & Jos. Wilcox, a pap. directed to Wm. Markham, Late Lt. Go^r, qrin they complained to him y^t by y^e Late frame of govm^t they had been deprived of the benefit of y^e old Charter, Wheron it was thought convenient y^t they, in Name of ymselves & others, might be heard befor y^e board.

Ordered y^t y^e Mess^r acquaint sd psons, in name of ymselves & others, to appear befor y^e Go^r & Council y^e 4^th instant, Hora 10, A. M.

Adjourned to 4^th instant.

4^th January, 1699-700.

Att a Council Held att philadelphia die Jovis, 4^th January, 1699-700.

PRESENT:

WM. PENN, pror. & Go^r, et ysdem ut antea.

Accordingly y^e sd 4 psons appearing, & after a Long conference with ym, The pror. & Go^r desired y^t by to-morrow morning they wold deliver to him in writting, such expedients y^t might be an accomodation between y^e old charter & the Late frame.

Adjourned to 5^th instant.

5^th January, 1699-700.

Att a Council held att philadelphia die Veneris, 5^th January, 1699-700.

PRESENT:

WM. PENN, pro^r & Go^r. et ysdem ut antea.

The sd 4 psons again appearing, To whom y^e pror. & Go^r having resumed y^e substance of what had yesterday past, & having advised y^e members of Council & ym to peace & moderaon, Hee admitted ym to a friendlie conference.

Then y^e sd 4 psons desired y^e sd paper wch they had formerlie presented to y^e Late Lt. Go^r as y^r agrievance, & to y^e pror. & Go^r since his arrival, wherein was Contained y^e^ substance of y^r^ objections ag^t^ y^e^ late frame, might be read, which was done by y^e^ secrie; as also a copie of a Lett^r^ from R^t^ turner, Gri. Jones, Fr. Rawle & Ar. Cook, of 9^th^ 2^d^ mo. 1697, to y^e^ pror. & Go^r^; which was also done. The sd 4 psons also delivered to y^e^ pror. & Go^r^ a pap. of 5^th^ instant, in ans^r^ to his yesterday's proposal, desiring it might be read; wch was done. The substance qrof was, That psuant to y^r^ pror. & Go^rs^ proposal yesterday, they were humbly of opinion, y^t^ if hee wold be pleased to cause be elected on 10^th^ March next, such members for repsentatives for Council & Assemblie, as is prescribed by the Chart^r^ hee formerlie granted ym, who might Conveen accordinglie, & together wt himself, Settle y^e^ govermt in such manner as to him & ym (or att Lest to 6 pts in Seven) should seem expedient, y^t^ such settlement will be most satisfactorie to the well effected, who, they reasonablie hope, will, wt ymselves, peaceablie & joyfullie acquiesce yrin, & wch is Humblie offered to y^e^ Gor's prudent consideraon.

After much debate yrupon, The Go^r^ caused the Secrie read a Lett^r^ from y^e^ Lords Justices, Viz: Tho' Cantmars: pembroke: p: Lonsdale, p: Devonshire, Bridgewater, Marlburrough, Montague, directed to y^e^ pror. & Go^r^ of y^e^ province of pennsilvania, dated 25^th^ July, 1699. The substance qrof was particularlie to require him to be verie Carefull in Causing the acts of trade & navigaon to be dulie putt in execuon wtin his matjes dominions undr his govrmt, & that in order yrto, Hee faill not to give Constant protection & all due encouragm^t^, not onlie to the officers of his Matjes Customs, but to those also of y^e^ Admiralties, wch his Matj. has thought fitt to be there erected in the discharge & execuon of yr rexive duties, as hee will ans^r^ the Contrary. Then y^e^ pro^r^ & Go^r^ said, that hee hop'd they are now all sensible of the emergencie & necessitie hee was und^r^ of calling an Assembly forthwith, qrby hee might the better complie wt the Lo's justices comands, & with the promises & assurances hee had given ym att his Last parting w^t^ ym, to use his outmost endeavour to maintain & support the king & Crown of England's just interests, & to give true protection & encouragm^t^ to all his officers, & to discourage piracie & illegal trade. The sd 4 psons declared ymselves satisfied with the emergencie & necessitie of calling an assemblie forthwith, to the ends aforesaid; but as to y^e^ mannor, whether by writt or otherwise, they Left that to the prudence & discretion of the Go^r^ and Council.

Adjourned to y^e^ 8^th^ instant.

8^th^ January, 1699-700.

Att a Council Held att Philadelphia die Lunæ, 8^th^ January, 1699-700.

PRESENT:

WM. PENN, pro^r^ & Go^r^, et ysdem ut antea.

pursuant a minute of Council of 1^st^ instant, y^e^ pror & Go^r^ desired the Council to give him yr opinion about calling an Assemblie for ye ends in ye sd minute menoned: Itt was Resolved, That ye gnll ass. meet att philad. 25th instant, & yt a writt be issued directed to the sherif of Newcastle Countie, to choose repsentatives: 2 for Council & for ass. who, ye tenth March Last, omitted to make an election; And yt ye secry give notice hereof by an express, to ye Sheriffs of ye other 5 Counties, to acquaint yr repsentatives to appear accordinglie; Saving to ye pror & Gor ye same power hee had before ye enacting of ye Late frame of governmt.

Adjourned to 24th instant.

[24th January, 1699-700.

Att a Council Held att philadelphia die Mercury, 24th Januarie, 1699-700.

PRESENT:

WILLIAM PENN, pror. & Governor.

Samll Carpenter,	David Lloyd,	Wm. Clarke.
Edward Shippen,	Caleb pussey,	

The Messr of the Council acquainted ym that Coll. Quarry desired admittance; wch being granted, Hee desired Anthony Morris might be called befor hee spoke, wch was done. Hee appearing, Coll. Quarry said, That in the pror. & Gor's absence, many abuses had been Comitted, (qrof hee was in duty obliged to Complain home, but was glad to see him since his arrival discountenance ye same, and provide better agt ye like for the future,) & yt goods that had been imported Contrarie to ye Laws of trade, had been seized by the king's Collectors, & put in his majes store, and yt before trial, Anthonie Morris signed a writt of replevin, qrby the sd goods wer forciblie taken out of the sd store, & cutt of the power of the Court of Admiraltie, & what came of ym the sd Anthonie best knew. That this his action, was no Less then to Question whether his Matie or ye sd Anthonie has most power. The act of parliamt is for us, & hee cannot pretend ignorance, having been so Long a Justice yt hee became verie insolent, & by this his action, hee has affronted ye king, (what in him Lay,) & has broken his Laws & invaded his priviledges & Courts, And yrfor, desired the pror. & Gor wold order ye sd Anthonie to restore ye said goods into ye power of the Admiraltie again, & yt securitie had been taken by ye sherif for ye value of ye sd goods, according to appraismt, & yt the Security refuses to pay ye monie, (& ye Sherif yt took ye bond is now Laid aside,) & yt it is unreasonable yt ye king should be putt to ye trouble & charge of a sute to recover the appraised value of ye sd goods, (wch sd Anthonie had illegallie taken away out of ye king's store.) Therfore, desired his Honor & Council, to think of a method of prosecuting sd Anthonie for ye sd violaons, & to make good ye sd apprised value of ye sd goods to ye king.

The sd Anthonie made ans^r^, that his signing the sd replevin was an act of ignorance, & not of malice ag^t^ y^e^ king, his Laws & officers, y^t^ hee was psuaded to it by advice to ym y^t^ knew y^e^ Laws, & yrfor hop'd y^t^ wold excuse him, who had no benefit by nor interest in y^e^ goods nor yr owner; & as for y^e^ apprised value, Hee knew nothing of it, but believed y^e^ securities wer responsible, & y^t^ it Look't verie hard y^t^ any Justice should suffer for an error in Judgment; & further added, that if it were to do again hee wold not do it.

Then the Go^r^ told Coll. Quarry y^t^ care should be taken to secure y^e^ apprised value of sd goods to y^e^ king & his officers, wtout either trouble or charge, & if hee was not satisfied wt Anthony Morris's being outt of Comission of the peace, & wt his psent submission, Hee might propose in writting what other satisfaction hee expected, and it should be considered of. To wch Coll. Quarry made ans^r^, y^t^ hee had no psonal animositie ag^t^ M^r^ Morris, & y^t^ for his pt hee was well satisfied wt y^e^ pror. & Gor's promise, & M^r^ Morris' submission.

Adjourned to 14^th^ February, 1699-700.

14^th^ February, 1699-700.

Att a Council Held att philadelphia die Mercury, 14^th^ Febry, 1699-700.

PRESENT:

WM. PENN, pror. and Governo^r^.

Sam^ll^ Carpenter, David Lloyd, Wm. Clarke.
Edw^d^ Shippen,

Upon Complaint of y^e^ poor ag^t^ y^e^ bakers of bread for sale not being of the Law^ll^ & due assize, Justinian Fox, Jn^o^ Sawtell; Arthur Holton, Wm. Royal, Geo. Abbiott, Marie Merryweather, Tho. Hall & Hugh Derburrow, being sumoned appeared, to whom the Go^r^ notified y^e^ sd Complaint; Who generallie ansred, y^t^ tho' it was hard for ym to Live by itt, wheat being now 5^s^ 6^d^ p. bush., & y^t^ they having but smal stocks wer outt-bid by the eminent merts & bolters; yet hoped y^r^ bread was of y^e^ due assize.

The pror. & Go^r^ advised ym to be conformable to y^e^ Laws in that behalfe made, & said hee wold appoint a Clark of y^e^ market to y^t^ end.

The pror. proposed Wm. Southbee Clark of y^e^ market; y^e^ Council approved itt.

Randal Spikeman, Arthur Starr & Jn^o^ Heath, tobacco cutters in philad. upon notice given ym, appeared, whom y^e^ pror. & Go^r^ acquainted of a Law Latelie made to prevent frauds in trade, pticularly tobacco, & desired ym to beware & keep a just accot of y^e^ quantities of tobacco they sold Cutt, & for whom, both for exportaon & retail, & to give him accot yrof when required, which they promised to do.

Upon reading y^{e} petion of y^{e} Late ass. to y^{e} pror. & go^{r}, to appoint a treasurer in room of Ja. fox, deced, The pror. & Gor did appoint Sam^{ll} Carpenter to be treasurer for y^{e} province & territories, Hee giving securitie to execute itt.

Adjourned to 15th instant.

[15th February, 1699–700.

Att a Council Held att philadelphia die Jovis, 15th Febry, 1699–700.

PRESENT:

WM. PENN, pror. & Go^{r}, et ysdem ut antea.

Upon reading y^{e} petion of Wm. Houston to y^{e} Go^{r} & Council, setting forth, That Edw^{d} Gibbs, Late Sheriff of Newcastle Countie, having arrested one Tho. Collins, att y^{e} Complainants sute, did take bond for said Collins' appearance & abiding y^{e} Judgmt of Court, y^{t} Collins did not appear, qron sd Houston gott Judgm^{t} ag^{t} him, & by ord^{r} of Court, had y^{e} bail bond assigned by y^{e} Sherif, wch sd Houston putt in suit agt Georg Lamb, one of Collins' bail, who att Court pleading the razures & interlineaons of sd bond, It was adjudged void in its self; upon wch y^{e} per. sued sd sheriff & was cast, & appealed to y^{e} provincial Court, where he was also cast; That y^{e} petr repsented y^{e} premises to y^{e} Lt. Go^{r} & Council y^{e} 16th May, 1699, who gave yr opinion y^{t} y^{e} per. might sue y^{e} bail again upon y^{e} sd bond, y^{e} same not being Legallie vacated by y^{e} sd Judgm^{t}; That y^{e} per. in August Last putt y^{e} bail bond in execuon & suit ag^{t} sd Lamb, who having pleaded y^{e} former acon in barr, the Court gave Judgm^{t} ag^{t} y^{e} per., viz^{t}: y^{t} y^{e} said action discontinue, wheron y^{e} sd per. craved an appeal, wch y^{e} Court refused to grant & wold no further hear him. As also, setting forth y^{t} forasmuch as it appears not by y^{e} record whether y^{e} razures wer before or after y^{e} sealing & deliverie of y^{e} bond, nor whether it was razed or interlined in anie essential part, neither was y^{e} razure tried by a Jurie, as y^{e} per. is advised it ought to have been; & in as much as y^{e} same justices that allowed y^{e} assign^{t} of y^{e} bail bond, did vacat the same, & afterwards discontinued the petrs. action & refused him an appeal, qrby hee is Left remedie Less; And yrfor, requesting such relief in y^{e} premises as to justice and equitie shall appertain.

Which petion & paps. relating yrto having been read and Considered by y^{e} Go^{r} & Council, who yrby finding y^{e} per. to be left remedieless by y^{e} Courts not granting him an appeal, & Like to be defeated of his just debt,

Itt was yrfor resolved y^{t} y^{e} pet^{r} may de novo, enter his acon upon y^{e} bail bond ag^{t} y^{e} sd Geo. Lamb, & y^{e} other psons yrin bound, & y^{t} the validitie or invalidity of sd bond, as to y^{e} razures & interlineaons, be tried by a jury att y^{e} Countie Court of Newcastle.

The pror. & Go^{r} proposed to y^{e} Council y^{t} hee intended to Issue his writts for calling next Council & ass. in a charteral way as to the numbers, viz: 3 out of each Countie for Council & six for Ass., & desired yr advice yrin; After debate yron, the further consideraon yrof was deferred to next day.

Adjourned to 16th instant.

[16th February, 1699-700.

Att a Council Held att philadelphia die Veneris, 16th February, 1699-700.

PRESENT:

WM. PENN, pror. & Go^{r}, et ysdem ut antea.

The pror. & Go^{r} did again propose y^{e} former intentions, & it was y^{e} Council's advice y^{t} Hee Issue his wtts to call y^{e} Council & Ass. Charterallie, both as to time & numbers of repsentatives, in ord^{r} to prepare & propose Laws, as hath been formerlie accustomed.

Adjourned to 6th March next.

[6th March, 1699-700.

Att a Council Held att philadelphia die Mercury, 6th March, 1699-700.

PRESENT:

WILLIAM PENN, prop^{r} and Governo^{r}.

Sam^{ll} Carpenter, David Lloyd, Caleb pussey.
Edw^{d} Shippen,

The pror. & Go^{r} read to y^{e} Council Secrie Vernon's Lett^{r} about sending Home y^{e} pirats, as also y^{e} Earle of Bellemont's enlarging yron: after several debates about y^{e} time & manner of sending home dr. Brandingham & David Evans, prisoners here, Itt was y^{e} opinion of y^{e} board y^{t} y^{e} Governo^{r} write to y^{e} E. of Bellamont again about ym, & to his deputie Nanfan, att N. York, qther they will send for ym & yr treasure with a guard, or qther they must be transported from this place to Newyorke.

[5th April, 1700.

Att a Council Held att philad. die Veneris, 5th April, 1700.

PRESENT:

WM. PENN, pror. & Governor.

Joseph Growdon,
Wm. Biles,
Richd Hough,
Saml Carpenter,
Edwd Shippen,
Griffith Owen,
David Lloyd,
Caleb pussey,
Jno Simcoke,
Richd Halliwell,
Jno Donaldson,
Jasper Yeates,
Saml Preston,
John Hill,
Tho. Fenwick.

Upon reading the petion of Henry Hayward, agt Anthonie Morris & Saml Richardson, Justices of ye peace for philad. Countie, Hee was ordered to attend att 4 p. m., & ordered ye mess to acquaint ye Justices yn to attend also.

Upon Reading ye petion of Susanna Harwood, widdow, setting forth yt her husband Wm. dying intestate, Left behind him 3 smal children, qch shee is in no capacitie to bring up but by a retail shop, wch requirs a greater stock than shee has to support it, unless a Lott in 2d street in philad., with a small house yron unfinished, may be by her sold, to raise monie to pay her husband's debts, Carry on her trade, to maintain & support her children & familie; & yrfor Requesting ym to allow & permitt her to sell ye sd house for ye ends aforesaid. The Gor & Council do grant ye wtin petion, upon securitie to be given by ye per. yt ye sd children shall have yr proporon of ye father's estate forthcoming to ym after his debts are paid. Samll Carpenter offered to be her securitie, who is her securitie in ye office for her administring on her deced Husband's estate.

Adjourned to 3 post merid.

Att wch time ye sd petion of Henry Hayward being again read, and ye record of his misbehaveor & Comittmt having been produced by ye Clark of ye Countie Court, Hee denied ye sd record, & undertook to produce his wittnesses yt hee had not offended in mannr yrin contained; & ye next Wednesday was assigned him for his & ye Justices, & His wittnesses attendance.

[12th Aprill, 1700.

Att a Council Held att philad. die Veneris, 12th Aprill, 1700.

PRESENT:

WM. PENN, pror. & Gor, et ysdem, except Jasper Yeates.

The pror. & Gor acquainted ye Council yt hee had Late intelligence yt Wm. Orr, Geo. Thompson, peter Lewis, Henry Stretcher & Diggerie Tenny, inhabitants of ye town of Lewis, in Sussex Countie, had gone on board Capt. kidd, ye privateer, (who in Julie last Lay some days before Cape Henlopen,) and had Corresponded wt him, & received from him & his crew some muslains, Calicoes, monies

& other goods wch wer East India, & prohibited goods, & y^t they had brought ym on shore, hid, sold & given away most of ym, wtout acquainting y^e govrmt or y^e king's Coll^r of y^e port of Lewis w^t y^e same, wch hee Look't upon to be, if not piracie, att Lest Confederating w^t ym, & accessaries & promoters of illegal trade, & yrfor desiring y^e Councill's advice yrin.

Itt was the opinion of the Go^r & Council, That ——— Lawman, Collector of port Lewis, should be attested as solemnlie as if he took an oath, to declare the truth as farr as hee knows in y^t matter, & y^t yrafter y^e sd psons should be examined one by one, Concerning y^e sd Crime; wch was done, & y^r examinaons are on file.

Upon reading y^e petion of Luke Manlow, setting forth that att kent Countie Court 12th March Last, hee was psented for feloniouslie taking a Heiffer in March, 1696, & was Comitted & tried wtout his evidence, & denied imparlance to y^e next Court, & Cast as a fellon, & y^t hee honestly pchased sd Heiffer, & is now furnished wt evidence to prove y^e same. And therfore, Requesting an ord^r to y^e Sheriff of sd Countie to forbear execuon of any Judgmt in y^t casse, & to grant him a rehearing att next Court for sd Countie.

Ordered y^t y^e per. have a rehearing yrof next Quart^r ss. for sd Countie, & y^t Wm. Wilson, sheriff yrof, desist from executing any writt or warrant of execuon issued, or to be issued outt ag^t y^e per on sd Judgmt, att his perrill, & y^t y^e per. intimate this ord^r to him.

Adjourned to 13th instant.

[13th April, 1700.

Att a Council Held att philad. die Sabathi, 13th April, 1700.

PRESENT:

WM. PENN, pror. & Go^r, et ysdem ut antea.

The pror. *&* Go^r desired the Council to advise him what was fitt to be done w^t sd Wm. Orr *&* others, in ord^r to y^r trial *&* punishm^t. It was y^e unanimous opinion of y^e Council y^t they be comitted *&* delivered up into y^e hands of the Court of Admiraltie, in ord^r to y^r trial, *&* y^t Jn^o Moore, deputie to Coll. Quarry, Judge yrof, be sent for *&* acquainted yrwith, *&* y^t his advise be taken yrin. Upon notice given him Hee appeared, & y^e pror. & Go^r acquainted him y^t hee had sent 150 miles for sd psons, y^t they wer come att y^e province charge, & had been examined before him & Council & Comitted Close prisoners, & y^t itt was y^r opinion y^t hee, as Coll. Quarrie's deputie, be acquainted & consulted about the manner of y^r trial. The sd Jn^o Moore made ans^r y^t hee was but deputie, & y^e thing new to him, but assured ym y^t Coll. Quarrie wold be in town in a few days, & yn they wold take measures for y^r trial, & y^t it was not fitt to be precipitant yrin. To wch y^e Go^r & Council acquiesced.

Adjourned to 15th instant.

[15th Aprill, 1700.

Att a Council held att philad. die Lunæ, 15th Aprill, 1700.

PRESENT:

WM. PENN, pror. & Gor.

Edward Shippen,
Griffith Owen,
David Loyd,
John Donaldson,
Tho. Bedwell,
John Hill,
Samll Preston,
Tho. fenwick.

The pror. & Gor acquainted ye Council yt by warrt hee had Comanded the sherif of kent Countie to bring hither one James Brown who came home wt Capt. Averie to providence, who brought him up, & was examined befor ym 12th instant, & was now prisoner in this Countie goal, & desired to be advised by ye Council whether to take bail for his appearance, or to send him hence to England by ye first opportunity, or to send him to Boston in New England, to ye Earle of Bellomont, in obedience. Itt was ye Council's opinion yt hee be sent to Boston, to ye Earle of Bellomont.

[25th June, 1700.

Att a Council Held att philad. die Martis, 25th June, 1700.

PRESENT:

WILLIAM PENN, Proprietor and Governour.

The pror. & Gor sent ye messr of the Council to Call Edward Shippen, Saml Carpenter, Jno Moll, Robt. turner, Gr. Owen, Wm. Clark, Caleb pussey & Joseph Growdon, to attend him att his house. Accordinglie Ed Shippen, Saml Carpenter, Jno Moll, Wm. Clark & Caleb pussey appeared. The pror. & Governor acquainted ym yt since the Charter was delivered up again to him, it was not fitt hee should be wtout a Council, yt yrfor hee had made choice of ym to be some of his Council, & yrfor desired ye secrie to read ye Qualification prepared for ym to sign; wch hee did, & sd psons signed ye same & took place att ye board; also, Robt turner appeared & was also qualified.

Adjourned to 26th instant.

[26th June, 1700.

Att a Council Held att philad. die Mercury, 26th instant.

PRESENT:

WM. PENN, pror. & Governor.

Edward Shippen,
Saml Carpenter,
Wm. Clark,
Jno Moll,
R. Turner.

Griffith Owen appearing, signed ye qualificaon aforsd & took his place.

The pror. & Gor delivered to ye secrie a Comission under ye great seal of the province, appointing one Thomas Storie keeper of the great Seal & Mr of the Rolls, to be read; wch being done, ye pror. & Gor delivered him ye sd seal & admitted him a member of Council, who signed ye sd qualificaon, & took place.

Resolved yt ye Council meet everie 4th day of ye week, ye att Govr's house, att 9 in ye morning, & oftener, as hee should give ym notice.

Adjourned to 1st July, 1700.

[1st July, 1700.

Att a Council Held att philad. die Lunæ, 1st July, 1700.

PRESENT:

WM. PENN, pror and Governor

Edwd Shippen,
Rt. Turner,
Wm. Clark,
John Moll,
Thomas Storie.

Upon reading the petion of Sarah Gibbs, widdow, setting forth yt Her Husband Latelie dyed, Leaving her much in debt, & the charge of a sucking child, & having nothing wherwt to pay ye sd debts but ye shell of a smal house, unfinisht, & a Lott valued att 50£, and yrfor, requesting ye Gor & Council to allow, permitt, & authorize her to make sale yrof, towards ye defraying of sd debts, educaon of sd infant & her support, according to the Laws and Customs of sd province. Wheron Rt. turner signified yt ye sd allegaons wer true, ye circumstances qrof being to him well known.

Itt was yrfor Ordered yt sd Sarah Gibbs be pmitted, allowed & authorized, & is hereby by ye Gor & Council pmitted, allowed & authorized, to make sale & conveyance to anie pson qtsoever, of ye sd house & Lott, wt its improvments and apptenances, & to ym & yr Heirs & assigns for ever, towards ye defraying of her just debts, ye educaon & maintainance of sd infant & her owne support, according to ye Laws & Customs of sd province, to Hold to ye sd pchasers yrof & yr heirs & assigns, & to yr use & behoofe, in fee simple & estate of inheritance forever. Itt was unanimouslie agreed & assented to by ye Gor & Council, that ——— be appointed & is hereby authorized & impowered to go round ye town with a small Bell in the night time, to give notice of ye time of the night & the weather, & if anie disorders or danger happen by fire or otherwise in the night time, to acquaint the Constables yrof.

Ordered yt ye Secrie give notice to Benj. Chambers & ——— powell, keeprs of ye ferries over Skuilkill, yt they do not, after day Light is shutt in, transport anie psons yt if not well known to ym, or yt cannot give a good accot of ymselves.

Itt was by ye pror. & Gor proposed to the Council to consider how ye law about prisons being workhouses should be effectuallie put in execuon.

Upon reading the memorial of Wm. Southbe, Clark of ye market, to Gor & Council, about rules to be made for regulating yt market of philadelphia & bread assize,

Ordered ye sd Wm. Southbe in ye meantime discourse ye bakers about ye assize of bread, & yt hee, wt some of ym, attend this board ye 3d instant.

Adjourned to 3d instant.

[3d July, 1700.

Att a Council Held att philadelphia die Mercury, 3d instant.

PRESENT:

WILLIAM PENN, pror. and Governor.

Edwd Shippen,	Robt. Turner,	Wm. Clark,
Samll Carpenter,	John Moll,	Tho. Story.

Wm. Southbee & some of ye bakers appeared wt yr bread, wch being weighed was found too Light. In excuse they affirmed yt if they came up to ye assize they could not Live by itt, wch was ye general opinion of the Council; And yrfor, it was ordered by ye Gor & Council yt each baker should bake but 3 sorts of bread, viz: white, wheaten & household, & no more, & yt the Loaves should be a pennie Loaf or roll, a 5d Loaf & a 10d Loaf, & no other; & if anie of these should exceed the assize in finnes or weight, It should be equallie seizable as if it wer undr the finnes or weight, & yt each Baker of soft bread be allowed 6d on ye bushell above ye assize, i. e: when wheat is att 5s p. bush. they shall make yr bread as if it wer at 5S 6d, & wheat being now 5S. p. bush. ye sd white bread shall weigh siz oz; the wheaten 10. oz, & ye household 13 oz & ¼, & so proporonablie.

Adjourned to 5 post meridiem.

Att wch time, Joseph Growdon appearing, subt. ye qualificaon and took his place.

The pror. & Gor caused the secrie to read ye orders, Rules & Regulaon yt wer made for ye market att philad. ye 1st 8br, 1693, wch was done; & after some alteraon in ye sixt article, they ratified ye same & ordered ye secrie to ingross ym in these minutes, & to give Copie yrof to the Clark of the market, by him to be executed wt as much discretion as hee could, and ye sd regulaon stands fair on ye said minutes ye sd 1st 8br, 1693, to wch referr consisting of 9 articles, qrof ye sixt is That no Hucksters (or psons yt sell again) shall buy or cheapen anie of the aforemenoned provisions untill ye second ringing of ye Bell, upon forfeiture of ye same & 6d ½ to ye poor, & ½ to ye Clark of ye markett.

Upon reading the petion of Catherin Vandeveer agt Cornelius Empson, Ordered yt ye secrie by Lettr, acquaint ye sd Cornelius therwith, & that Hee send him Copie of sd petion, and yt hee appear before ye Gor & Council the 17th instant, to make answer to ye same.

Adjourned to 10th instant.

10th July, 1700.

Att a Council held att philad. die Mercury, 10th July, 1700.

PRESENT:

WM. PENN, pror. & Governor.

Upon reading the petion of James Streater, setting forth that in 1685 hee sent hither a man & his wife bound to him for 4 years, yt ye woman died att sea, & ye man soon after hee came hither, yt wt ym hee sent a boy bound to him for 3 years, & about 40£ st in goods, to take up his Land; yt ye sd servant man made a will & gave ye pers. servant boy, Edwd James, his time & all ye sd goods, & yt ye boy concealing yt hee was servant to anie other than ye pers. man, Jno Honnet, The Court bound out ye sd boy to Jno Redman, Bricklayer, for 4 years, who choose him for his guardian, who administered on ye sd pers. goods, apprized at 38£. 4s. & 7d, & some of ym at an under value. That ye per. wrote to Wm. Clayton about itt, who told sd Redman yt ye sd goods & boy wer ye pers. & yt sd Redman had ye pers. writtings in his hands, wch hee latelie hath delivered to him, & yt sd Redman & James have ye sd goods between ym, or ye value of ym, & yt said Redman hath said hee will never pay ye per, ptending hee hath paid ye sd James, who says hee has received but 9£, & yt sd Redman sold ye sd James to one Freeman for 20l, & paid himself wt 20li of his goods, and yrfor desiring Justice. The per. produced Indres. for said John & Martha Honnets, undr yr hands & Sealls, as also the nuncupative will of ye sd Jno. as it stands recorded in ye office of probate of wills, &c. & an obligaon undr ye hands & sealls of Jno Redman & Wm. Freeman, his suretie, to admr the estate of sd Jno, & an Invrie.

Ordered yt Sam Carpenter speak to sd Redman about the said petion, & to know of him whether hee will Leave it to ye decision of men.

The inconveniencie of the goales standing where it now does, and ye removal yrof to ye place purchased for ye same in 3d street, being moved to ye Gor & Council, After some debate yrupon, The Gor & Council appointed Edwd Shippen & Wm. Clark to go to ye inhabitants adjacent to ye prison, & to see what they & others will advance beforehand (to be deducted outt of the next County tax to be Laid for building a Court house) towards removing ye sd goal & Brick wall.

Adjourned to 17th instant.

[17th July, 1700.

Att a Council Held att philad. die Mercury, 17th instant.

PRESENT:

WM. PENN, pror. & Governor.

Edwrd Shippen,	Jno Moll,	Tho. Story,
Samll Carpenter,	Robt. Turner,	Gr. Owen.
Wm. Clark,		

Samll Carpenter Reported yt hee had discoursed sd Redman about Ja. Streater's complt agt him & Edwd James, who told him yt hee was ready to justifie himself before ye Gor & Council.

Upon reading again ye petion of Catherine Vanderveer agt Cornelius Empson, who, according to an order of this board ye 3d instant, appeared, and after a full hearing & inspection of all ye old & new pats, & all witnesses on either side, both viva voce & affadavitts, & of all their draughts to ym produced, The pties att Last wer willing to stand to & be Concluded by ye report of 2 able surveyors, that should be appointed by ye Gor & Council to view ye sd Lands, lines & bounds, att yr charge. The Gor promised to appoint 2 such surveyors.

Adjd to 24th instant.

[24th July, 1700.

Att a Council held att philad. die Mercury, 24th instant.

PRESENT:

WM. PENN, pror. & Gor, et ysdem ut antea.

Jno Redman & Ja Streater, according to appointmt of last Councill, appeared, & sd Jno being fullie heard in his owne justificaon, to ye satisfacon of sd James & Gor & Council, yet sd Jno being sensible of ye Loss sustained by ye sd Streater, offered in ye spring to pay him 5li, in Consideraon of ye advance yt might have been made on ye sale of ye sd goods; And ye Gor & Council Left sd Streater to his remidie att Law agt sd Edwd James, who had ye whole & sole benefit of sd Streater's goods.

Adjourned to 31st instant.

[31st July, 1700.

Att a Council Held att philad. die Mercury, 31st instant.

PRESENT:

WM. PENN, pror. & Governour.

Saml Carpenter,	William Clarke,	John Moll.
Edwd Shippen,		

Upon reading the petion of Eliz Sanders, y^e widow & admrix of Jn^o Sanders, deced, setting forth that qras hee by his last will & testamt of 21 7br, 1699, after paymt of his debts & funeralls, bequeathed y^e rest of his real and psonal estate to sd Eliz during her widowhood, but if shee should again marry, yn y^t one half yrof be putt into y^e hands of Edwd Shippen & Nathan Stanburry, exers yrof, to be put to interest, & to be equallie divided between his children att y^e age of 21 years; And also setting forth, y^t qras y^e sd exers having renounced y^e sd office of exership, shee administered on his estate Cum testando annexo, & exhibited inventarie yrof, amounting in the whole, both real & psonal estate, to 519li 19s 6d; as also setting forth, y^t qras y^e sd Jn^o att his decease owed 174li, wch when paid yr will be remaining in her hands onlie 85ll. 19s 6d, of y^e s^d psonal estate; And also setting forth, that by y^e Laws of this govermt about Testates & Intestate's estates & y^e sale of y^r Land by y^e widow or admr, Itt is provided y^t after all debts are paid, the residue, if anie be, of y^e testator's psonal estate, shall be by y^e exers divided according to their Last wills; And also setting forth, y^t by y^e sd will it evidentlie appears that the Testator's design & intent was y^t y^e one half of his sd clear estate, viz: both real & psonal, should be putt to interest, & be equallie divided between his sd children, att y^e age of 21, wch can not be done unles y^e sd real estate, or some part y^{r}of, be sold; And also setting forth, that qras y^e sd psonal estate is not sufficient both to pay y^e sd debts & to keep in repair y^e dwelling house & fences, & y^e plantation & house yron, & to bring up, educate & maintain 3 young children, & to support y^e per, & to improve y^e sd estate to the best advantage, and y^t y^e sd Jn^o died ptlie testate & ptlie intestate, And yrfor requesting y^e Go^r & Council to allow, permitt & authorize y^e per. to make sale of y^e sd real estate towards the defraying of the sd debts, y^e educaon & maintaining y^e sd 3 children & her owne support, and y^e per. is willing y^t the one half yrof shall be putt outt for sd children's use to interest, according to y^e sd will & y^e Laws & Customs of this province, & y^t shee may be Impowered & authorized to make title to a Bank Lott & house sold by her Husband in his Life time, to the purchasers yrof. And y^e sd petitioner having made outt to y^e Go^r & Council y^e allegaons in sd petion mentioned,

It was ordered, That shee be pemitted, allowed & authorized, & is hereby by y^e Go^r & Council pemitted, allowed & authorized, to make title, sale and Conveyance to y^e sd bank Lott & house yron built, wch by her Husband before his death, was sold to ———, as also of such other her sd Husband's real estate, (to wch hee had right,) wt all y^r Improvments & apptenances to y^e pchasers y^{r}of, y^r heirs and assigns for ever, towards y^e defraying of her just debts, the educaon & maintainance of her sd 3 children, her owne support, and the better Improvmt of y^e sd estate to y^e sd children's use, according to will, To Hold to y^e pchasers yrof rexivelie and to y^r Heirs and assigns, by such estate as y^e sd Jn^o Sanders held y^e same. And itt was ordered that y^e sd per. putt outt y^e sd One Half of y^e sd clear estate, & the half of y^e produce of y^e sd real estate when sold, to interest, according to y^e direction of y^e sd will, by y^e advice of Edwd Shippen & Nathan Stanburry.

Upon reading the petion of George Heathcote agt Thomas Groves, & the records of several Courts, The Gor & Council ordered ye Secrie to prepare a Copie of ye sd petion to be sent to sd Thomas, & an ordr of this board, directed to ye sheriff of Sussex Countie, to Sumons ye sd Groves to attend ye Gor & Council ye 25th 7br. next, to make ansr to ye sd petion.

Adjourned to 7th Augt next.

[7th August, 1700.

Att a Council Held att philad. 7th August, 1700, die Mercury.

PRESENT:

WM. PENN, proprietor & Governor.

Edward Shippen,
Robert Turner,
Wm. Clarke,
Sam. Carpenter,
Griffeth Owen,
Thomas Storie.

Complaint haveing been made to this board by some of ye membrs of Council, that ye Late fireing of gunns from on board some vessells lying before philad. hath not onlie frightened some women & children, but hath also occasioned some of the Senecar Indians yt came hither to treat wt this governmt to depart, as believing ye fireing of sd gunns to have been signs of Hostilitie intended agt ym. It was yrfore ordered yt no vessells Lying before ye town of philad. shall fire anie gunns but att coming in & going outt, as a sign of yr arrival & depture, & yt James Logan give notice to Mrs of vessells of this ordr at their entrie of their vessells in his office. The Gor also, in open Councill, Informed ye 3 Senecar Indians yt stayed behind the rest, that itt was the Custom of ye English to fire gunns as a sign of joy & kind entrtainment of yr friends coming on board; & was in no manner of ways intended to frighten or disoblige ym; as also informed ym, yt they wer & should be verie wellcome to this gov'mt, & in token of amitie & friendship wt ym, ye Gor gave ym a Belt of Wampum, by ym to be showen to the other Senecar Indians yt went away upon fireing ye sd gunns, Which they kindlie accepted of. The Gor also desired ye members of Councill to go on board Capt. Sims' vessell wt ye sd 3 Indians & yr Interpreter, yt they might see ye manner of the English on board yr vessells, wch was accordinglie done, to yr great satisfaction.

Adjourned to ye 14th instant.

14th August, 1700.

Att a Council Held att philad. die Mercury, 14 Augt, 1700.

PRESENT:

WM. PENN, pror. and Governor, et ysdem ut antea, & John Moll.

Upon reading yr petion of Gilbert Wheeler agt Edwd Antill, The Governor desired ye Council on both sides to argue ye matter before him & Council, wch was done; & several paps. wer produced & read about ye matter in difference. The Gor ordered ym to appear again to-morrow morning, in order to a furthr examinaon & Hearing the same.

Adjourned to 15th instant.

[15th August, 1700.

Att a Council Held att philadelphia die Jovis, 15th instant.

PSENT:

WM. PENN, pror. & Gor, et ysdem ut antea.

The Council of Gil. Wheeler & Edwd Antill having been again heard att Length, The Gor & Council appointed ym to appear before him and Council ye 28th, & yt hee & Council wold in ye meantime fullie Consider of an answer.

Upon reading the petion of Henry Elfreth agt Griffith Jones, The same was referred to ye Comrs of inquirie into titles of Lands & Lotts.

Upon reading the petion of Elizabeth Robinson, widdow, agt ye sherif of Newcastle & Jasper Yeates, the same was deferred to ye 28th instant, being a case unpsidented in this province.

Itt was this day ordered by the Gor & Council, yt the king's Highway or publick road, & the bridges yrin from ye town of Philadelphia to the falls of Delaware yt now are, be wt all expedion sufficientlie cut & cleared from all timber, trees & stumps of trees, Loggs, & from all other nusances whatsoever yt Ly cross ye sd way, & yt ye same, with all passages in & outt of all creeks & Branches, may be made passable, Comodious, safe and easie for man, horse, cart, waggon or team, by ye rexive overseers of the highways & Bridges wtin the rexive precincts, townshipps and Counties of philadelphia & Bucks, according to Law. And yt ye respective Courts of Justice & Justices of ye peace in ye sd Counties, Cause ye same be dulie pformed, & the Laws in those Cases made & provided to be strictlie putt in execuon, undr ye rexive penalties yrin contained, & yt ye secrie take care to send a Copie of this ordr to ye Counties of philadelphia & Bucks respectivelie.

Adjourned to 11th 7br., 1700.

11th Septemb^{r}, 1700.

Att a Council Held att philad. die Merc, 11th 7br., 1700.

PRESENT:

WM. PENN, pror. & Governo^{r}.

Sam^{ll} Carpenter, Griffith Owen, Tho. Story.
Edward Shippen, John Moll,

Upon reading y^{e} petion of Joseph Ashton, setting forth THat the justices of Philadelphia Countie Having granted a roade Leading to pemapecca mill, & ordered six men of y^{e} nighbourhood to sett itt forth, by the agreemt of 4 of y^{e} six, & y^{t} 4 of ym in y^{e} absence of the other two; did sett itt forth to y^{e} pers. prejudice, & y^{t} itt may be altered without incommoding y^{e} sd road, as in a draught yrof wt y^{e} sd petion to y^{e} Go^{r} & Council exhibited, & yrfor Requesting y^{t} y^{e} Go^{r} & Council wold appoint a road of a reasonable breadth, according to y^{e} sd draught, or to appoint psons to view & sett itt forth according to y^{r} discretions.

Itt was ordered y^{t} the said six psons appointed by y^{e} Countie Court. do all meet together & Lay outt y^{e} sd road, both as y^{e} 4 psons have Laid itt outt, & as it is desired by y^{e} per. in his draught, & y^{t} they return y^{e} sd draughts & courses of both roads, wt y^{r} con & inconveniencies, & y^{r} reasons yrof to y^{e} Go^{r} and Council y^{e} 25th instant.

Upon reading the petion of Henrie Elfreth, ordered y^{t} Griffith Jones have notice to appear befor y^{e} Go^{r} & Council y^{e} 25th instant, with his evidents of his Bank Lotts over ag^{t} y^{e} blue anchor.

Upon reading y^{e} petion of Eliz^{t} Robinson, widdow, agt the Sheriff of the Countie of Newcastle & Jasper Yeates, Ordered y^{t} sd Yeates Have notice of sd petion & y^{t} hee appear 25th instant, & y^{t} shee be then heard by her Counsell.

Adjourned to 12th instant.

12th August*, 1700.

Att a Council Held att philad. die Jovis, 12th instant

PRESENT:

WM. PENN, pror. & Go^{r}. et ysdem ut antea.

Upon full hearing of y^{e} matter in difference between Edw^{d} Antill & Gil. Wheeler, who had referred y^{e} same to y^{e} Go^{r} and Council,

The Go^{r} & Council Ordered sd Antill to pay to sd Wheeler One hundred pounds y^{e} first of May, 1701, & to give securitie for y^{e} paymt of y^{e} same, & that sd Wheeler do forthwith sign to sd Antill & his heirs and assigns, a deed of sale & conveyance for y^{e} mortgaged pmisses in fee simple & estate of inheritance for ever, & y^{t} sd

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*September.

Wheeler do live on y^{e} pmisses to y^{e} sd first of May, 1701, on such rent as they shall agree for.

The pror. & Gor. proposed to the Council the necessitie of calling an assemblie in y^{e} fall, for revising y^{e} laws securing proptie, a frame of govermt & support yrof, & paying y^{e} debts yrof.

Itt was Resolved y^{t} y^{e} pror. & Go^{r} do Issue his writts to sumons the freemen in each Countie to meet y^{e} 1st 8br., to choose 4 psons to serve as y^{r} repsentatives in Ass., & to meet att Newcastle y^{e} 14th day yrof, & y^{t} y^{e} secrie do forthwith prepare writts for that end.

Adjourned to 10th 8br., 1700.

10th Octob^{r}, 1700.

Att a Council Held att philad. die Jovis, 10th Octo^{r}, 1700.

PSENT:

WM. PENN, pro^{r} & Go^{r}, et ysdem ut antea.

Henry Elfreth wt Henry flower, his Uncle's exer., wt Griffith Jones, appeared according to an ord^{r} of Council 11th 7br., 1700, and having been fullie heard, y^{e} finall determinaon yrof was deferred till y^{e} Go^{r} & Council return from N. Castle.

Adjourned to 11th instant.

11th Octob^{r}, 1700.

Att a Council Held att philad. die Veneris, 11th instant.

PRESENT:

WILLIAM PENN, propor. & Governo^{r}.

Sam^{ll} Carpenter, Griffith Owen, Thomas Storie,
Edw^{d} Shippen, Caleb pussey, John Moll.

Humphrey Morrie, upon y^{e} Gor's. call by y^{e} mess^{r} of the Council, ap. subt y^{e} Qualificaon of a Councellor & took his place at the board.

——— Smith, father to ——— Smith, now in goal upon susption of a rape Comitted on ————, desired his son might be bailed; wherupon the attornie general being heard for y^{e} king, & David Lloyd for y^{e} sd Smith, Itt was by y^{e} Gor & Council Ordered y^{t} hee continou prisoner till y^{e} pror. & Gor's return from y^{e} Ass. att Newcastle, to be held there y^{e} 14th instant.

Adjourned till y^{e} Gor's Return from N. Castle.

*There were many Councils further held att y^e^ Town of Newcastle, and a great number of Laws past w^th^ the Assembly there, before J. Logan was appointed Clerk of y^e^ Council, and therefore he knows not what became of them.

PROVINCE OF PENNSILVANIA & TERRITORIES, SS.

Minutes of Council in the Assembly, Anno Ri. Rs. Gulielmi terty Angliæ, &c. decimo.

25th January, 1699--700.

Att a Council Held att philadelphia die Jovis, 25th January, 1699-700.

PRESENT:

The Honble WILLIAM PENN, absolute proprietor & Governo^r^ in Chief of y^e^ province of pennsilvania & the Territories yrto belonging.

Sam^ll^ Carpenter,	Caleb pussey,	Jn^o^ Hill,
Edward Shippen,	phin. pemberton,	Rich^d^ Halliwell,
David Lloyd,	Wm. Rodeney,	William Biles,
Wm. Clarke,		Pat. Robinson, Secry.

The Sheriff of the Countie of Newcastle his Return of a writt directed to him from y^e^ pror. & Go^r^ for the election of repsentatives for sd Countie, to assist him in an assembly, to meet this day, was produced, whereby itt appeared that ther were elected for Council Rich^d^ Halliwell & Rob^t^ French, & for Assembly John Healy, Adam peterson, Wm. Guest and Wm. Houston.

Upon reading the petion of Cor. Empson & Jn^o^ Grubb, in behalf of ymselves & others, in number 29, on y^e^ south & north side of Brandywine Creek in sd Countie, setting forth, That notwtstanding y^e^ pror. & Go^r^, wt advice of his Council, had Issued his writt for election of 2 members to serve in Council & 4 in Assemblie, in Ordr to repair y^e^ Loss & disadvantage y^e^ sd Countie had brought ymselves under by not electing in March Last, yet the pers. have not had the least notice given ym of any such writt nor time of election, from any known officer, & y^t^ an election was made att Newcastle y^e^ 20th instant, by some of the other 100^ds^, & yrfor y^e^ pers. have just cause to say y^t^ such as have been so elected are none of y^r^ repsentatives, & yrfor requesting relief, by allowing ym a free vote & election of y^r^ Legislators, &c.

Wessell Alriches, Sherif of sd County, having been called to ans^r^

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*This paragraph is in the hand writing of J. Logan.

for himself, who appearing, declared yt in his owne pson hee went to ye Lower pts of ye Countie & sent his deputie to ye upper, & yt both were outt some days in giving notice to ye people, & if there was any Shortness it was to be imputed to his depty & not to him, who could not be in 2 places att once, & to the shortness of time & severitie of ye weather and danger of travelling.

Therafter the Gor acquainted ye pers that the Sherif should be punish't for his neglect, & yt nothing was intended to be done this assembly but ye passing of a law agt pirats & unlawll trade, wch hee hop'd all wold concurr in, & yt there was no design to make any other for raising of monie or otherwise, & yrfor, hop'd they wold acquiesce in the choice made, & by passing ye sd two Laws ansr the psent emergencie, & yt a minute should be made that it should not be drawn into a president for the future.

Resolved that the accepting of the return of the said writt, and of the psons yrin returned to serve, should by no means be drawn into a president for the future, & yt the sd sheriff be att ye mercy of ye pror & Gor.

Jno Healy, Adam peterson, Wm. Guest & Wm. Houston, returned to serve as repsentatives in Ass. for sd Countie, appeared befor ye Gor & Council & wer qualified according to law. Also, Hen Molleston & Wm. Dyre for the Countie of Sussex, who had been absent 10th May last.

The pror & Gor desired ye secrie to acquaint the house of repsentatives yt hee waited for ym. John Blunston, who had been choosen their speaker in May Last, appeared wt all the repsentatives, To whom ye pror & Gor said:

"Friends, Had the psent emergencie of calling you att such a "season of the year concerned me only, I should not have done it "till ye usual time, but since it concerns ye Crown in two verie con-"siderable cases, recommended to me by ye Lo's Justices of England "to reinforce & Improve ye Laws already made agt piracie & illegal "trade, I have yrfor desired to see you att this time to pass two such "Laws, & for no other end; I shall deferr other things to the usual "time of meetting in ye 3d mo. next." And. withal, ye pror & Gor told ym hee wold appoint 5 members of Council to join a Comittee of ass. to prepare ye bill agt pirats, & other 5 to join a Comittee of Ass. to prepare ye bill agt illegal trade, & desired ye Ass. to do ye same.

The pror & Gor appointed Edwd Shippen, David Lloyd, ph. Pemberton, Wm. Rodeney & Caleb pussey, to join a Comittee of Ass. to prepare ye bill agt pirats. And Samll Carpenter, Wm. Clark, Richd. Halliwell, Wm. Biles & Jno Hill, to join a Comittee of ass. to prepare ye bill agt illegal trade, & to meet ye Comittees of Ass. rexivelie att 8 in ye morning, & desired ye secrie to acquaint ye ass. yrwith; which hee accordinglie did.

Adjourned to 26th, Hora 10, A. M.

[26th January, 1699--700.

Att a Council Held att philadelphia die Veneris, 26th January, 1699–700.

PRESENT:

WM. PENN, pror. & Gor, et ysdem decem ut antea.

Wm. Clark, chairman of ye Comittee appointed to prepare ye bill agt illegal trade, exhibited some amendments, Improvments of & addions to ye former Law agt Illegal trade, yt wer considered by sd Comittee, but requested further time to put ym in form, wch was granted to 27th instant, 10 A. M.

Adjourned to 27th instant, 10 A. M.

[27th January, 1699--700.

Att a Council Held att philadelphia die Sabbathi, 27th January, 1699–700.

PRESENT:

WM. PENN, pror & Gor, et ysdem decem ut antea.

Wm. Clark, Chairman aforesd, exhibited to ye Gor & Council some Amendts & improvts of & addions to ye former Law for pventing illegal trade, & David Lloyd, Chairman of ye Comittee appointed to prepare ye bill agt pirats, also exhibited to ym some amendmts & improvmts of & addions to ye former Law agt pirats; both wch having been debated in Council, some further improvments wer considered of, & it was Left to ye members of each Comittee to prepare a draught of the rexive bills Comitted to ym by 29th instant, 10 A. M.

Adjourned to 29th instant.

[29th January, 1699–700.

Att a Council Held att philadelphia die Lunæ, 19th January, 1699–700.

PRESENT:

WM. PENN, pror & Gor, et ysdem decem ut antea.

David Lloyd, Chairman of ye Comittee appointed to prepare ye bill agt piracie & pirat, exhibited a draught yrof, wch, after a Large debate, was Left to ye further Consideration of ye sd Comittee.

Adjourned to 31st instant.

31st January, 1699–700.

Att a Council Held att philad. die Mercury, 31st Janry, 1699–700.

PRESENT:

WM. PENN, pror & Gor, et ysdem decem ut antea.

Isaac Norris & Richd Hough, from ye Repsentatives, desired ye Gor to appoint some of ye members of Council to meet wt some of yr house, to Conferr wt & satisfie ym about some Clauses in ye sd bill of piracie. The pror & Gor appointed Wm. Clark, David Lloyd & Caleb pussey, to meet some of ye house of repsentatives att the house of Isaac Norris.

Adjourned to 1st Febry, 1699–700.

1st February, 1699–700.

Att a Council Held at Philadelphia die Jovis, 1st February, 1699–700.

PRESENT:

WM. PENN, pror. & Gor, et ysdem decem ut antea.

Wm. Clark, Chairman of the Comittee appointed to prepare a Bill agt illegal trade, exhibited a draught yrof; a great part qrof having been read & debated, the Gor

Adjourned to 2d instant.

[2d February, 1699--700.

Att a Council Held att philadelphia die Veneris, 2d Febry, 1699–700.

PRESENT:

WM. PENN, pror & Gor, et ysdem decem ut antea.

The Remaindr of sd Law agt Illegal trade being read & debated, & some objections being made yrto, The pror & Gor appointed Edwd Shippen, Wm. Clark & Saml Carpenter, to draw ye claus yrof relating to kent Countie by 4 post M.

The House of Repsentatives, by Anthony Morris & Isaac Norris, acquainted the Gor & Council yt they had read ye Law agt piracie twice, yt had been sent ym, & wer satisfied yrwt, excepting ye claus yrof prohibiting trade wt Madagascar.

The Council moved to ye pror. & Gor that there be a clause inserted in ye bill agt piracie, to indemnifie all those who have traded or had Comerce with some old privateers yt some years agoe came in & surrendered ymselves upon the Jamaica proclamaon, & yt had protections & permitts from the nighbouring governmts. The pror.

assented yrto, & appointed David Lloyd, phi. pemberton and Wm. Biles to prepare & draw up ye sd clause.

Adjourned to 3d instant.

[3d February, 1699-700.

Att a Council Held att philadelphia die Sabbathi, 3d Febry. 1699-700.

Isaac Norris & Wm. Dyre, from the Ass. acquainted ye Gor & Council yt they had passed ye bill agt Illegal trade, & had some objections to make agt it which they thought wo'd be best answered in a Conference of both houses wt ye Gor.

The pror. & Gor yrupon desired by these 2 members ye ass. to repair to him & Council to Conferr about & ansr ye sd objections.

Adjourned to 5th instant.

[5th February, 1699-700.

Att a Council Held att philadelphia die Lunæ, 5th Febry, 1699-700.

PRESENT:

WILLIAM PENN, pror. & Governor.

Samll Carpenter, William Biles, William Clark,
Edward Shippen, Richd Halliwell, Caleb pussey.
phin. pemberton, John Hill,

The pror. & Gor appointed Wm. Clark, Saml Carpenter, David Lloyd, Richd Halliwell, ph. pemberton & Wm. Rodeney, to be a Comittee of Council to join a Comittee of ass. to abridge ye sd Law, by to-morrow morning.

Adjourned to 6th instant.

[6th February, 1699-700.

Att a Council Held att philadelphia die Martis, 6th Febry, 1699-700.

PRESENT:

WM. PENN, pror. & Gor, et ysdem ut antea.

Wm. Clark, chairman of sd Comittee, brought in the Bill agt illegal trade abridged, wch was read & sent to the Assembly.

Adjourned to 7th instant.

[7th February, 1699–700.

Att a Council Held att philadelphia die Mercury, 7th February, 1699–700.

PRESENT:

WM. PENN, &c., et ysdem ut antea.

Anthony Morris & Isaac Norris from ye ass. returned ye bill of piracie, desiring ye Gor & Council to satisfie ym about ye claus yrof prohibiting trading to Madegascar: The Gor desired a Conference wt yr house to morrow-morning, about ye sd clause.

Adjourned to 8th instant.

[8th February, 1699–700.

Att a Council held att philadelphia die Jovis, 8th February, 1699–700.

PRESENT:

WM. PENN, pror & Gor. et ysdem ut antea.

The Gor desired the secrie to acquaint the ass. yt hee & Council waited for ym, to Conferr about ye claus of yr act agt piracie, prohibiting trade wt Madagascar & Nataall. The House of ass. appeared, wt whom a Conference was had about trading to Madagascar & Nataall. It was Resolved yt it should be prohibited for three years.

Adjourned to 9th instant.

[9th February, 1699–700.

Att a Council Held att philad. die Veneris, 9th instant.

PRESENT:

WM. PENN, pror. & Gor, et ysdem ut antea.

The ass. by Anthony Morris & Isaac Norris, 2 of yr members, sent to ye Gor and Council two Laws for their assent.

Adjourned to 10th instant.

[10th February, 1699–700.

Att a Council Held att philadelphia die Sabbathi, 10th Febry, 1699–700.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

The pror & Gor desired Wm. Biles & Jno. Hill to acquaint ye ass. yt hee & Council waited for ym, who returned ansr yt they wold attend him speedily.

The ass. appearing, The pror & Gor told ym yt yesterday hee had received from ym two bills wch had past yr house, wch hee desired the secrie to read over three times distinctlie. Afterwards they wer by the Gor & Council assented to, viz: The first entituled, An act agt pirats & privateers: The other an act for preventing frauds & abuses in trade wtin ye province of pennsilvania & Counties annext; and did underwrite each bill in these words—viz: philad. 10th 12th mo., 1699-700. This Bill being 3 times read was assented to by me, Wm. Penn, Locus privati Sigilli provinciæ.

Therafter the pror & Gor proposed to ye Council & ass. yt hee intended to call ye next genrll ass. according to Charter, att the usual & annual time; To which the members of ass. by the Speaker, declared yr satisfaction therewith. Then ye pror & Gor ask't the ass. whether they had anie other bussines for him att this time, who answored no. Then he said, Gentl, you are dissolved, & I hereby dissolve you. They thank't ye Gor & departed.

The end of the 7th ss. of Council & Assembly.

MINUTES OF COUNCIL, Anno Ri. Rs. Gulielmi terty Angliæ, &c., Undecimo, for promulgaon.

[30th March, 1700.

Att a Council Held att philadelphia Die Sabbathi, 30th day of March, 1700.

PRESENT:

THe Honble WM. PENN, Absolute pror & Gor in Chief of ye province of Pennsilvania & ye territories yrto belonging.

In respect yt there appeared onlie Saml Carpenter, Edwd Shippen & Gr. Owen, returned as repsentatives in Council by ye Sheriff of philadelphia, David Lloyd, Caleb pussey & Jno. Simcoke returned as such by ye sheriff of Chester, The pror & Gor.

Adjourned to 1st April, 1700.

[1st Aprill, 1700.

Att a Council Held att philadelphia die Lunæ, 1st April, 1700.

PRESENT:

WM. PENN, pror. and Governo^r.

The Sheriff of y^e Countie of Bucks His return of repsentatives in Council was produced, qrby it appeared y^t ther wer elected Joseph Growdon for 3, Wm. Biles for 2, & Rich^d Hough for one years.

The Sheriff of philadelphia Countie his Like return was produced, qrby it appeared y^t ther wer elected Sam^l Carpenter for 3, Edward Shippen for 2, & Griffith Owen for one years.

The Sheriff of Chester Countie his Like return was produced, qrby itt appeared David Lloyd for 3, Caleb pussey for 2, & Jno. Simcoke, for one years.

The Sheriff of Newcastle Countie his Like return was produced, qrby itt appeared that there wer elected Richd. Halliwell for 3, John Donaldson for 2, & Jasper Yeates for one year.

The Sheriff of kent Countie his Like return was produced, qrby it appeared that there wer elected Jn^o Walker for 3, Henry Molleston for two, & Thomas Bedwell for one year.

The Sheriff of y^e Countie of Sussex his return of repsentatives was produced, qrby itt appeared y^t y^r wer elected Sam^{ll} preston for 3, Jn^o Hill for 2, & Tho. ffenwick for one year.

The abov returned psons, excepting those for kent Countie, appearing, subt. the Qualificaon following, viz: pennsilvania, 1st 2^d mo., April, 1700, " We severallie, & each of us for o^{r}selves, do sincerely " promise & declare as solemlie as if wee took an oath, y^t wee will " be true & faithfull to y^e king & Crown of England, & to Wm. " Penn, pror & Go^r of y^e province of pennsilvania & territories yrto " belonging, & his heirs, according to y^e Lres patent granted to him " by king Charles y^e 2^d, und^r y^e great Seal of England," & took their places att y^e board, and so yr wer

PRESENT:

Joseph Growden,
William Biles,
Rich^d Hough,
Sam^{ll} Carpenter,
Edward Shippen,
Griffith Owen,
David Lloyd,
Caleb pussey,
John Simcoke,
Rich^d Halliwell,
John Donaldson,
Jasper Yeates,
Sam^{ll} preston,
John Hill,
Tho. Fenwick.

Then the pror & Go^r said: " Friends, Tho' this be a Colonie of 19 " years standing, & not inferiour to anie of its age, yet wee have " much to do to establish its constituon & Courts of Justice; there " are in it some Laws obsolete, others hurtfull, others imperfect, y^t " will need improvm^t, & it will be requisit to make some new ones; " wee cannot go to slow to make, nor too fast to execute them when " made, & y^t w^t diligence & discretion, a few well made & duly exe- " cuted, will better ans^r y^e ends of governm^t yn a greater bulk unexe- " cuted. You friends are ye people's choice & my Council; you'll " see what Laws are fitt to be Left outt & what to be made, & you " w^t mee, are to prepare & propose ym. I say this the rather becaus " of a false notion some have gott y^t becaus you are my Council "yrfor you are not y^{e} people's repsentatives. The ablest men have "always been chosen to be of y^{e} Council to prepare Laws, & y^{e} "Assembly to consent to ym; wee are two bodies yet but One power, "the one prepares, y^{e} other consents. Friends, If in the Constituon "by Charter, there be anie thing y^{t} jarrs, alter itt; if you want a "law for this or that, prepare itt; I advise you not to trifle wt "govern^{t}. I wish there wer no need of anie, but since Crimes "prevail govrm^{t} is made necessarie by man's degeneraon; Itt's "not an end but a means; hee y^{t} thinks itt an end aims att "profitt to make a trade on't. Hee who thinks itt to be a means "understands y^{e} true end of goverm^{t}. Friends, away w^{t} all pties, & "Look on yo^{r}selves & what is good for all, as a bodie politick, first "as und^{r} y^{e} king & Crown of England, & next as und^{r} me, by Lres "patent from y^{t} Crown. Att y^{e} Late election att philadelphia, I was "grieved to hear some make itt a matter of religion; no its humane "& moral relating to trade, traffique & publick good, consisting in "virtue & justice; where these are maintained there is government "indeed. Study peace, & be att unitie, ey y^{e} good of all, & I desire "to see mine no otherwise than in y^{e} publick's prosperitie. The "last Ass. wee made 2 Laws, the one ag^{t} piracie, y^{e} other ag^{t} forbidden trade. I hear they have not satt easie on y^{e} backs of some, "but I hope, wee having yrin been carefull of England, wee shall "have thanks for making ym before wee had orders so to do, and "after so manie calumnies & complaints wee have been Loaded "with, I hope these two Laws will in some degree wash us clean; "what concerns myself I also Leave wt you to Consider. I have "been now 19 years yo^{r} pror & Governo^{r}, & have att my chairge "maintained my deputie, qrby I have much worsted my estate, & "hope itt will be no wonder to any to hear mee make this Lection "of itt. Some say I come to gett monie & be gone, phapps they that "say so, wish itt so. I hope I or mine shall be wt you, while I or "they Live—The disasters of my absence have been mine as well "as yours, & as I'm used shall make suteable returns. I have "latelie two packetts from Whitehall, an original & a duplicate; "also one to my Cosen Markham, & two from Secrie Vernon, & am "Comanded by y^{e} Lords Justices to make Laws ag^{t} piracie & illegal "trade. I am glad wee have prevented their Commands in doing it "before they came."

Therafter, a motion being made by a member of Council, that they might have a new Charter: Then y^{e} pror & Gor ask't whether they thought the Charter was Living, dead or asleep; is it vacated by y^{e} act of Settlement, or in what state is itt. A member made ans^{r}, that they never Look't on't to be void or dead, becaus att Go^{r} Fletcher's coming, wee made a salvo of it in y^{e} assemblie books, & another salvo of it in y^{e} frame of govrmt, as to its fundamentalls, but y^{e} Circumstantialls of itt as to time, place & number, & rotation, wee could not reassume. Our bussines now is to do good, y^{e} Go^{r} being here to confirm itt, & he having in his Charter, power to call us as hee pleases, ye manner is but circumstance, the meetting is essential; Letts take what's fitt & good both in ye charter & frame, & Lett's make a Constituon yt may be firm & Lasting to us & ours; This makes no breach on the old Laws, but will confirm what's reasonable, both in ym, ye charter & frame.

Then ye Gor said: The act of Settlemt served till I came; now I'm come, It Cannot bind me agt my owne act, the charter it being my grant, & the people my wittness by yr acceptaon of it, and tho' some violence cannot be resisted, yet when the violence is taken off, ye Charter returns, & how can it return but by writt.

Therafter ye pror & Gor resolved ye whole members of Council into a grand Comittee, to meet hora tertia, p. m., to read ye Charter & frame of governmt, & to keep what's good in either, to lay aside what's inconvenient & burdensome, & to add to both what may best suit ye Comon good, & if you be under any doubt Ile solve itt, & psent to mee what you do yrin to-morrow morning for my perusall.

Adjourned to 2d April, 1700.

[2d Aprill, 1700.

Att a Council Held att philadelphia die Martis, 2d Aprill, 1700.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Joseph Growdon, Chairman of ye grand Comittee appointed to inspect & puse ye charter, & frame, &c. made report yt they had pused both, & had made some alteraons in, diminutions from, & addions to both, wch wer read & had mark't outt ye ss. (but had not time to writ ym out fair,) & deliverd ym to ye Gor for pusall.

Then he desired yt all ye Laws from ye first settlemt of ye province might be read over by ye secrie; accordinglie some of ym were.

Adjourned to 3d instant.

[3d Aprill, 1700.

Att a Council held att Philadelphia die Mercury, 3d Aprill, 1700.

PRESENT:

WM. PENN, pror. & Gor, et ysdem ut antea.

The pror & Gor desired ye secrie to begin where hee Left in reading ye Laws; accordinglie some more of ym wer read.

Adjourned to 3 p. m.

The pror & Gor desired ye secrie to begin qr hee Left A. M. in reading the Laws, & ye rest wer read over by ye secrie.

Then y^{e} pror & Gor resolved all y^{e} members of Council into a grand Comittee, to meet to-morrow morning at 9, to read & consider y^{e} sd Law, & to keep what was fitt, to Lay aside what was inconvenient, & add such new ones as they thought meett.

Then hee proposed to ym y^{e} necessitie of a Law for regulating Courts of Justice, & y^{e} pleas to be held there, provincial Courts & appealls, about y^{e} marriages of negros, how to be punisht & tried, ag^{t} selling rum to y^{e} Indians, To restrain sickly vessells from Landing y^{r} passingers for some time, & for y^{e} better observaon of y^{e} Sabbath or Lord's day, & to make report to-morrow morning.

Adjourned to 4th instant.

[4th Aprill, 1700.

Att a Council Held att philad. die Jovis, 4th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Joseph Growden, chairman of sd Comittee, reported y^{t} they had made some small progress in pusing y^{e} Laws, but feared should not have time to go thorow all, being Long & tedious, but desired more time; wch was granted.

Adjourned to 5th instant.

[5th Aprill, 1700.

Att a Council Held att philad. die Veneris, 5th instant.

PRESENT:

WM. PENN, pror & Go^{r}, et ysdem ut antea.

Joseph Growdon, chairman aforesd, reported y^{t} they found great difficultie in pusal of y^{e} Laws, & y^{t} they could not in so short time go thorow ym, & desired Longer time; which was granted.

Adjourned to 6th instant.

[6th Aprill, 1700.

Att a Council Held att philadel. die Sabbathi, 6th Aprill, 1700.

PRESENT:

WM. PENN, pror. & Go , et ysdem ut antea.

Joseph Growdon, chairman of y^{e} grand Comittee of y^{e} whole members of Council, appointed to prepare some Laws, psented to y^{e} pror

& Gor a paper containing some Heads of a Law for securing ye people's propertie.

The pror & Gor again recomended to ym the Consideraon of all the Laws; what should drop, what be Continued, & some heads of new Laws to be made, formerlie recomended to ym.

Adjourned to 8th instant.

[8th Aprill, 1700.

Att a Councill held att philadelphia die Lunæ, 8th April, 1700.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Thomas Bedwell, a membr of Council returned for kent Countie, for one year, appearing, subt ye above sd qualificaon & took place att ye board.

The pror & Gor proposed to the Council ye Consideraon of ye law about ye provincial Judges & Court, yt it might be made more easie & less expensive.

Joseph Growdon, chairman aforesd, psented to ye pror & Gor some heads of a Law for raising 3d p ll & 18d p poll, as a testimonie of yr respect to him, & being sensible itt was not ansrable to what he deserved, yet ye Countrie being poor & in debt, hop'd hee wold accept of itt for ye present; also, 1d p li & 6s p poll, for defraying ye debts & for support of governmt, which the Gor said hee wold consider.

Adjourned to 9th instant.

9th Aprill, 1700.

Att a Council Held att philadelphia die Martis, 9th instant.

PRESENT:

WM. PENN, pror. & Governor, et ysdem ut antea.

The pror & Gor psented to the Council a draught of a Law about arbitraons, another about Surveyors; wch wer read & recomended to sd Comittee.

Adjourned to 10th instant.

10th Aprill, 1700.

Att a Council held att philad: die Mercury, 10th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

The matter of ye people's proptie, & the securing yrof, either by a Court to be erected by ye pror & Gor, or by grants from him, or by a Law for yt purpose to be made, & about the Overplus Lands, being att large debated, was left to ye further consideraon of ye Gor & Council, and ye pror Gor appointed John Simcoke, Joseph Growdon & Wm. Biles to meet him att night to consider yrof, & as neer as might be, to adjust ye rates of overplus Lands, according to their neerness to or remoteness from ye town of philadelphia.

Adjourned to 11th instant.

[11th Aprill, 1700.

Att a Council Held att philad. die Jovis, 11th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

In respect some of ye members of Council wer provincial Judges & now sitting in Court, & ye abov named not having had time to conferr so as to adjust ye rates of ye overplus Lands, The pror & Gor.

Adjourned to 4 post merid.

Att wch time ye pror & Gor (upon a proposion to him made by a member of Council to prolong ye time of Sessions of Gor, Council & assemblie for a Longer time ym was usual,) who brought in a draught of a bill for yt end, wch having been debated, Itt was agreed to be brought in again ye 12th instant, wth some improvments & amendments.

Adjourned to 12th instant.

[12th Aprill, 1700.

Att a Council Held att philadelphia die Veneris, 12th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

The sd Law, with improvments & amendmts, was exhibited by ye pror & Gor to ye Council, entituled a Law to be promulgated to Continue ye present ss. of Council & ass. 29 days beyond ye usual time by Charter Limited: & being by the Secrie three times read over, Upon the Question putt, all you that are of opinion yt this Law pass here in order to promulgaon stand up, Itt was Carried in the affirmative, Nemine Contradicente.

Then the pror & Gor ordered ye Secrie to send a Copie yrof, signed by Him, to ye rexive Sheriffs of ye Six counties, to be by ym rexive promulgated.

MINUTES OF COUNCIL IN THE ASSEMBLY, Anno Ri. Rs. Gulielmi terty Anglia, &c. decimo, &c.

[10th May, 1700.

Att a Council Held att philadelphia die Veneris, 10th of May, 1700.

PRESENT:

The Honble WILLIAM PENN, absolute proprietor & Governor in Chief of ye province of pennsilvania & the Territories thereunto belonging, &c.

Samll Carpenter,
Edwd Shippen,
Griffith Owen,
Joseph Growdon,
Richd Hough,
Jno Simcoke,
Caleb pussey,
David Lloyd,
Richd Halwell.

The Sheriff of Bucks Countie his return of Repsentatives for ass. was produced, whereby it appeared yt ther wer elected Jno Swift, phineas pemberton, Joshua Hoops, Wm. paxton, Jeremiah Langhorne, Samll Darck,

The Sheriff of philadelphia County his return was produced, qrby it appeared that yr wer elected Jno Bevan, Anth. Morris, Nich Waln, Is. Norris, Sam. Richardson, Jno parsons.

The Sherif of Chester's retn was produced, & ther wer elected Jno Blunston, Robt pyle, Richard Orms, Jno Hood, Sam. Lewis, Henrie Lewis.

The Sherif of Newcastle's retn was produced, & there wer elected Adam peterson, Joseph England, Richd Cantwell, Robt French, Val. Holingsworth, Wm. Houston, who subt ye same Qualificaon yt ye membrs of Council subt. 1o April, 1700; and ye other repsentatives not being yet come to town,

Adjourned to 13th instant.

[13th May, 1700.

Att a Council held att philad: die Lunæ, 13th May, 1700.

PRESENT:

WM. PENN, pror & Gor, et ysdem & Jasp. Yeates, Jno Donaldson, Sam Preston, Jno Hill, & Tho. Fenwick.

The Sheriff of kent's retn was produced, & yr wer elected Wm. Morton, John Brinklo, Richd Wilson, Gr. Jones, Arthur Meston, Wm. Rodney.

The Sheriff of Sussex's retn was produced, & yr wer elected Joseph Booth, Thomas pemberton, Luke Watson, jr. Tho. Fisher, Art. Vankirk, Robt. Burton, who subt. ye same Qualificaon as above.

Then ye Gor desired ye members of Ass. to depart and choose yr Speaker.

After some time John Blunston, accompanied by y^e whole house of repsentatives, appeared before y^e Go^r & Council, acquainting ym that they had made choice of him for y^r Chairman, a pson verie unfitt att such a time where matters too weightie for his capacitie wer to be considered, & yrfor desired to be excused if it could be, & if not, y^t y^e pror & Go^r wold be pleased to putt a favorable Construction on his words, & y^t the ass. might have freedom of speech & access to his pson; wch was granted. Then y^e Go^r said: Friends: * * *

* * * * * * * * * * * * * * * * *

Wm. Rodney & R^t pyle, from y^e ass, desired a sight of one of the writts qrby this ass. was called, & y^e promulgated Bill; which y^e Secrie delivered to ym.

The pror & Gor desired y^e Secrie to read y^e bills wch hee had prepared about tradeing wt y^e Indians, & arbitraons, & after some debate on both, and then Resolved y^e Council into a Comittee of y^e whole members yrof, to consider y^e same, & to make report.

Adjourned to 4 p. m.

Att which time Antho. Morris & Jn^o Bevan, from y^e Ass. acquainted y^e Gor & Council y^t y^e Ass: desired a free conference wt y^e Council members; which y^e Gor granted. Then y^e Speaker, accompanied as before, appearing, desired y^t hee or anie others of y^e Ass: might speak yr minds; wch y^e Gover granted: some of ym wer of opinion y^t they wold pass y^e promulgated Bill for y^e prolongaon of y^e time of this ss, provided y^t yrafter they went on to setle y^e constituon of y^e govrmt wtout y^e intervenion of any other bussines. To wch y^e Gor assented; And in ord^r yrto, resolved y^e membrs of Council to be a Comittee to join a Comittee of y^e whole house of repsentatives, to meet to-morrow morning to read y^e Chart^r & frame, & to Consider of the Constituon of y^e govrmt, & desired Jasp. Yeates & Caleb pussey to acquaint y^e Ass. y^{r}with, y^t they might do y^e same.

Adjourned to 14th instant.

[14th May, 1700.

Att a Council held att philad. die Martis, 14th May, 1700.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Coll. Rob^t Quarrie, Judge of y^e Court of admiraltie for pennsilvania, accompanied wt Jn Moor, advocat of sd Court, exhibited a charge ag^t David Lloyd, one of y^e Council elected for Chester Countie, of Irreverent speeches & postures of & ag^t y^e broad seal of England & y^e king's picture, & a tin box appended to y^e Lords of y^e admiraltie of England y^t Comission to Ro^t Webb, yn marshall of sd Court, in a Certain Court held att philad sometime Late past. To wch, after sd David Lloyd had made some answer, hee desired y^e charge might be exhibited ag^t him in writting und^r y^e charger's hand, wch was agreed to, & 4 p. m. assigned to sd Coll.Quarrie so to exhibite itt, wt y^e wittnesses, for whom hee desired a Subpœna; which was granted.

Upon calling over y^e names of y^e members of Council, the 3 representatives for kent Countie wer found wanting, wtout whom y^r could but little be proceeded in, & y^r being no excuse made for ym, Itt was resolved y^t a wrr^t be issued by y^e Secrie, und^r y^e Gor's hand & seal of y^e province, directed to Henry Mallows, mess^r of y^e Council, forthwith to repair to y^e sd Countie of kent & bring ym up to ans^r y^e sd contempt, wch was done.

Adjourned to 3 p. m.

Att which time ph: pemberton & Ro^t French, from y^e Ass, acquainted y^e Go^r & Councill y^t y^e Ass: wer readie for him. The Gor told ym y^t hee & Council wold receive ym.

The Speaker acquainted y^e pror & Gor y^t they came to hear y^e old Charter and y^e Late frame of governmt read. The Gor ask't him if they had past y^e Law given ym yesterday for y^t end. The Speaker ansred they had not, but sd they wold pass itt next morning.

Coll. Rob^t Quarry, accompanied as aforesaid, exhibited to y^e Gor & Council His memorial ag^t David Lloyd, in writting, und^r his hand, wch was read, and in these words, viz: To y^e Rt. honble Wm. Penn, esq^r, pror & Gor of y^e province of pennsilvania & y^e annexed Counties. The memorial of Coll. Robert Quary, Judge of His maties Court of admiraltie for y^e provinces of pennsilvania & West Jersey, Represents to this board y^t hee is obliged, as well by his dutie owing to his most Sacred matie, & by the directions Latelie received from the Rt. honble y^e Lords of y^e plantacons & trade, as y^e trust lodged in him by virtue of his maties Letters patents und^r y^e broad seal of y^e High Court of admiraltie of England, to signifie y^t having alreadie Laid before y^e board a charge of unparallelled misdemeanors & affronts offered ag^t his matie in some of y^e Courts of this province, by one David Lloyd, now & att y^t time a member of Council, and being required to reduce y^e same to writting wtin y^e space of few Hours, with the witnesses to prove the charge, In wch time the whole series of y^e affair, wt y^e aggravating Circumstances yrof, cannot so fullie be digested as the nature of the crime may require. However, in obedience to y^e said order, Hee Showeth: That sundrie goods & merdizes being seized for Illegal Importacon, & Lodged in the marshall of y^e admiral's Custodie in the king's store, in the year 1698, & propertie triable in the sd Court by virtue of several acts of parliamt, The sd David Lloyd did, in contempt of y^e sd Laws & Jurisdiction of y^e

sd Court, influence & advise the justices by force *&* arms, to force y^e goods outt of the sd store; That the sd David Lloyd did further advise & prosecute an action ag^t y^e sd marshall for the detainor of y^e sd goods, att the succeeding Countie Court, where y^e marshall being called to defend the sute, hee produced in his owne Justificaon His maties Lres pats, undr y^e broad seal of y^e High Court of Admiraltie, with the Judges warrt for y^e seizure aforesaid, which sd patent having in the frontis piece his most sacred maties effigies stampt, with the sd seal appendant, the sd David Lloyd, in a most insolent & disloyal manner, taking the sd Comission in his hand & exposing it to y^e people, did utter & publish these scurrilous & reflecting words following, viz:—what is this? do you think to scare us wt a great box (meaning y^e seal in a tin box) and a little Babie; (meaning y^e picture or effigies aforesaid;) 'tis true, said hee, fine pictures please children; but wee are not to be frightened att such a rate; & many more gross & reflecting expressions on his matie to y^e like effect. That att another time, att a Court of admiraltie, held in this town of philad, hee, y^e sd David Lloyd, in open Court, with a design to incense & irritate the people & expose y^e king's officers to their furie, did publicklie say, that y^t Court did not sitt there by anie Comission from y^e king. That y^e sd David Lloyd, att a Council held in this town, (in Contempt of his maties authoritie Lodged in the sd Court of admiraltie,) did declare y^t whoever wer Instrumental or aniewise aiding in the erecting & encouraging a Court of admiraltie in this province, were greater enemies to the Liberties & priviledges of y^e people then those y^t established & promoted ship monie in king Charles the first's time, or to that effect. All wch several charges hee is readie to avouch & prove; so subscribed ROBT. QUARRY.

As also, y^e sd Coll. Quarry produced some witnesses to prove y^e sd charge in its several branches, as by y^r deposions remaining on y^e files may appear, wherupon y^e sd David Lloyd desired of y^e Gor & Council time to putt in his ans^r in writting to y^e sd memorial, and to make his defence; To wch y^e Gor replied y^t this was not his trial but an examinaon, & when & wherever, or before what court soever hee should happen to have his trial, hee wold then have that granted him, & y^t this was but an examinaon to see whether what was Laid to his charge was of y^t weight to suspend him from being a repsentative of y^e people in Council, as was desired by Coll. Quarry.

Adjourned to 15th instant.

[15th Aprill,* 1700.

Att a Council held att philad. die Mercury, 15th May, 1700.

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*May.

PRESENT:

WM. PENN, pror & Go^{r}, et ysdem, except David Lloyd.

The pror & Gor ask't y^{e} opinion of y^{e} Council whether what was exhibited & proved ag^{t} David Lloyd, a member of this board, yesterday, was sufficient ground to suspend him from sitting as a repsentative att this board upon y^{e} people's choice. Resolved, N. C. y^{t} it was—wherupon y^{e} pror & Go^{r} desired Joseph Growdon to acquaint David Lloyd that hee was suspended from sitting as a repsentative att this board till hee had his trial, & wer cleared or convicted.

Upon a motion made, y^{e} pror & Gor ordered y^{e} secrie to write to Wm. Biles, a repsentative in Council elected by y^{e} Countie of Bucks, forthwith to appear att this board to his dutie; which the secrie did.

Adjourned to 16th instant.

[16th May, 1700.

Att a Council held att philad. die Jovis, 16th May, 1700.

PRESENT:

WM. PENN, pror & Gor, et ysdem & William Biles.

Tho. pemberton & Is. Norris, from y^{e} ass: acquainted y^{e} Gor y^{t} the assemblie desired admission; which was granted.

The Speaker, accompanied as aforesd, delivered to y^{e} pror & Gor. the promulgated Bill entituled The Law Continuing y^{e} psent sessions of Council & ass: 15 days beyond y^{e} usual time by Charter Limited, past y^{r} house, wch being read to The pror, Gor & Council, y^{e} same was past by ym, N. C.

Therafter y^{e} pror and Gor having laid opon both to Council & Assemblie, the nature of the psent Constituon, & y^{e} powers of both Council & Assemblie, Left y^{e} members of both houses to y^{r} grand Comittee appointed for settling the constituon of y^{e} govrmt, & to bring in y^{r} report y^{e} 17th instant.

Adjourned to 17th instant.

[17th May, 1700.

Att a Council held att philad. die Veneris, 17th instant.

PRESENT:

WM. PENN, pror. & Governor, et ysdem ut antea.

Joseph Growdon, Chairman of y^{e} sd grand Comittee of Council & ass: to whom was Left y^{e} Consideraon of y^{e} psent Constituon, & y^{e} powers of Council & Assemblie, & y^{e} settlemt of y^{e} new Constituon, Reported y^{t} they had Considered of some part yrof; that y^{e}

ass: should have y^{e} sole power of pparing & proposing bills to be past into Laws, & y^{e} whole powers of an ass, & y^{t} y^{e} Gor's Council shall be y^{e} people's choice, & y^{t} six shall be the number Constantlie to attend him on all emergencies, but had gone Little further yrin.

The pror & Gor made ans^{r}, that what hee expected from ym was that they should have prepared & exhibited to him y^{e} Charter they desired, & when hee had it all in a piece before him, Hee should soon tell ym what hee could not & what hee could grant ym. And yrfore desired y^{e} grand Comittee to go together again & Consider what hee had laid before ym; by y^{t} time hee should return from pennsberrie; & Told ym y^{t} hee left y^{e} town on purpose y^{t} in yr Comittee they might meet w^{t} no interruption.

Adjourned to 24th instant.

[24th May, 1700.

Att a Council Held att philad. die Veneris, 24th instant.

PRESENT:

WM. PENN, pror. & Go^{r}, et ysdem ut antea.

The pror & Gor desired y^{e} secrie to acquaint y^{e} ass, y^{t} hee & Council waited for ym; they returned they wold forthwith attend him.

The Ass: appearing, Joseph Growdon, chairman aforesd, psented to y^{e} pror & Go^{r} a draught of y^{e} Charter they desired. Hee sd hee wold peruse it, & in y^{e} meantime desired y^{e} grand Comittee to meet again & go on w^{t} yr bussines.

Adjourned to 25th instant.

[25th May, 1700.

Att a Council Held att philad. 25th May, 1700, die Sabbathi.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

The pror & Gor desired Caleb pussey & Nich. Walln to acquaint the ass: y^{t} hee waited for ym. They returned they wold speedilie attend him.

The ass: appearing, Jos. Growdon, chairman aforesd, acquainted y^{e} pror & Gor y^{t} they had much debate in y^{e} grand comittee about y^{e} oathes & test, & the manner of taking ym; as also about y^{e} charges of y^{e} provincial Council, but could come no agreem^{t}, wherupon y^{e} debates wer again re-assumed before the Governo^{r}.

Adjourned to 27 May instant.

[27th May, 1700.

Att a Council Held att philad. die Lunæ, 27th May, 1700.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

The ass: appearing, To whom & Council, as a grand Comittee, ye pror & Gor did again propose ye matter of oaths, attest, & charge of provincial Council; and ye same being att large debated,

Adjourned to 3 p. m.

Att wch time ye ass: again appearing, The pror & Gor proposed to ym a bill about ye regulaon of Indian traders, wch hee referred to a Comittee of both houses; also a bill about regulating negros, referred to another Comittee of both houses; also a Bill about regulating Courts of Justice, referred to a 3d Comittee, & to bring ye reports of ye sd bills to-morrow morning.

Adjourned to 28th instant.

[28th May, 1700.

Att a Council Held att philad. die Martis, 28th May, 1700.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

The rexive Chairmen of ye sd 3 Comittees brought in each of ym a draught of the rexive bills recomended to ym.

Adjourned to 3. p. m.

Att wch time ye ass: appearing in a grand Comittee, wt ye Gor & Council, The bill about regulating Indian traders was read, considered and amended, & Gri. Jones appointed to draw it up fair by to-morrow morning; also ye bill about regulating negros was read, considered & amended; also ye bill about Regulating of Courts was read & considered, with its amendments, & given to sd Griffith Jones to be fair drawen up.

Adjourned to 29th instant.

[29th May.

Att a Council Held att philad. die Mercury, 29th instant.

PRESENT:

WM. PENN, pror & Governor, et ysdem ut antea.

The pror & Gor psented to the Council & ass: a Bill about a Court Barron, another about Confirmaon of free-holds, another about surveys, & appointed a Comittee of 3 psons out of each Countie of ye province, & of 3 out of each County of the territories, to be a Comittee to consider of ye sd 3 Laws.

Ad. to 30th.

30th May, 1700.

Att a Council Held att philad. die Jovis, 30th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

The ass: being sent for, appeared, & Gri. Jones presented to ye Gor & Council the bills about regulaon of Courts & Indian traders, for yr consideraon.

Then ye ass: requested they might go to yr owne house to dispatch what Lay befor ym, to wch ye Gor assented.

Adjourned to 31st instant.

[31 May.

Att a Council Held att philad. die Veneris, 31st May, 1700.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Two members from ye ass: desired yt ye ass: might be admitted. Granted.

John Blunston, accompanied by all ye repsentatives in ass: appeared.

Upon reading ye petion of Robt Turner & Joseph fisher, bearing date ye 27th instant, Setting forth that att an ass: held att philad. 10th May, 1689, (qrof Ar. Cook deced, was speaker, & David Lloyd Clark,) there was a vote & resolve past agt ye per. Rt. Turner, wtout a hearing or conviction by an insufficient number of ye members yrof, viz: Ar. Cook, speaker, Hen. Waddy, Gr. Owen, Tho. Ducket, phi. pemberton, Saml Levis, Tho. paschall, Val. Hollingsworth, Edmd. Bennet, Richd. Martin, Nich. Blunston, Dan. Jones, Wm. Berrie, Wm. Manloue, Jn° Walker. Ab. Opdegraeff, Is. Weldone, Robt piles, Jn° Bartram, Jn° Swift, That Wm. Markham, Robt turner, & Gr. Jones, who Issued forth yr warrants agt Jn° White, a member of yt Ass, & yt Jno Claypoole & Richd. Reynolds Sheriffs, who by colour of such wrrt or wrrtts, arrested & caried him away; as also ye sd John Claypool, who, wtout anie wrrt, during y^e sitting of sd ass: did arrest David Lloyd, knowing him to be Clerk yrof, are, & everie of ym is yrfor reputed violaters of y^e priviledges of Ass, & betrayers of y^e Liberties of y^e freemen of y^e sd province & territories, & y^t they ought to be made incapable of bearing anie publick office or place of trust in this govrmt; & y^t a wrrt be made outt & signed by y^e Speaker, directed to all high & pettie Constables, for bringing ym befor y^e sd ass: to ans^r y^r contempt & breach of priviledge aforesd: As also, setting forth y^t sd Joseph ffisher, (wt other members of that Assemblie,) having entered his protest ag^t a vote or resolve yrof, & yron absenting ymselves, there was another vote & resolve past, That y^e sd Joseph ffisher, per. & the other absent members, are not worthie to be chosen again, or be intrusted as delegates. And also, setting forth y^t y^e sd rexive resolves, votes & sentences past yron ag^t y^e pers rexivlie, have not only proved much to their scandal, reproach, detriment, publick shame & disgrace, but may also to that of their posterities, if not now att last remedied, the same being yet standing in one of the most publick (as reputed) records of fame and Creditt wtin y^e sd province & territories. and y^t by reason yrof, y^e pers. stand Liable (at y^e will & pleasure of ill minded men) und^r this or any change of govrm^t y^t may happen to be drawen into question for & about y^e same. And also setting forth, y^t y^e per. R^t Turner, hath made manie modest & Christian petions & applicaons to the succeeding assemblies, (Copies whereof are hereunto annexed) for a Hearing & trial, & hath Long waited att y^e posts of y^r doors; & pticularlie in May, 1690, hee, by a petion to y^e ass: then sitting att Newcastle, did sett forth y^t being informed of some votes past ag^t him last ass, & yn standing open upon their books, & y^t having inquired of several of y^e sd number of 20 psons, about y^e same, they could give y^e per no informaon, being whollie Ignorant yrof, & y^t David Lloyd, y^r clerk, tho' often requested to give y^e per a Copie yrof, yet hee still refused, alledging his ord^{rs} to the contrarie, & yrfor yn requesting to be brought to a trial. As also, in May, 1691, requesting y^t hee might Come to his trial & be found guiltie of or acquitted from sd Charge, especiallie seeing some of y^e sd 20 members said to be yn psent & yr names affixt to y^e sd votes, denied yt they ever knew anie thing directlie or indirectlie of such a vote or resolve ag^t y^e sd R^t Turner. As also, setting forth y^t by a Lett^r of 24th May, 1690, y^e per. R^t Turner, had acquainted y^e pror & Gor with y^e sd injurie done him, to whom y^e per sent a Copie of y^e ass: proceedings, requesting his assistance for relief yrin; y^t hee was pleased so farr in justice to take notice y^t by his Lre to Jn^o Goodson of 24th Sbr, 1691, hee advised y^t an amicable end be putt to R^t Turner's bussines about Jn^o White saying in his Lre, tell y^e Council so, & the parties, as my desire. & y^t accordinglie y^e sd Jn^o goodson, wt y^e per, went to a full Council & produced to ym y^e sd letter, & pressed y^r compliance yrwith. And y^t notwtstanding y^e sd Rob^t Turner's petions & applicaons, hee could never prevail to have a hearing or trial. And yrfor. now att last requesting a fair & open trial and Hearing, & y^t if it be made appear y^t y^e sd vote & resolve hath proceeded on a groundless & false foundaon in matter of fact ag^t y^e per.

Rob^{t} Turner, & y^{t} y^{e} psons that so past y^{e} sd votes & resolves wer but 20 instead of 24, the Charteral Quorum, (By which Charter y^{e} assemblie had power to impeach, & y^{e} Gor & Council to Judge,) y^{t} yn the sd minutes, resolves & votes,may by y^{e} Gor, provincial Council & assemblie, wt y^{e} rexive sentences y^{t} followed yron ag^{t} y^{e} sd pers, be vacated, declared void & null & of no force nor effect, to all intents, constructions & purposes, in all time hereafter coming, so farr as relates to y^{e} sd pers rexivlie.

Whereupon, y^{e} pror & Gor desired Jn^{o} Blunston, the Speaker of the assemble, to produce the minutes of Ass: held 10th May, 1689, which hee did; and being read, y^{r} wer yrin inserted y^{e} sd votes & resolves, with other votes & resolves introductorie yrof; but nothing appearing by y^{e} sd minutes y^{t} y^{e} per. Rob^{t} Turner ever signed y^{e} sd wrrt or wrrtts, & y^{e} sd Rob^{t}. absolutelie denying y^{t} hee did, & challenging y^{e} ass: to prove itt, (wch none of ym could do,) but on y^{e} contrarie, hee, y^{e} sd Rob^{t}, producing before ym y^{e} original wrrt directed to y^{e} sheriff, wch was onlie signed by Wm. Markham & Gr. Jones, & not att all by Rt. Turner, (a copie qrof is to remain upon y^{e} file of y^{e} minutes of this Council) as also by y^{e} sd minutes, it plainlie appearing y^{t} y^{r} wer onlie psent 19 psons, & the speaker, att passing y^{e} sd votes & resolves, qras the Charteral number should have been 24, & if y^{r} had been a Charteral number psent they could not have passed y^{e} sd votes & resolves ag^{t} y^{e} sd Rt. Turner, he never Having signed y^{e} sd wrrt or wrrtts, as before is made appear, and nothing in the said minutes appearing that y^{e} sd Rob^{t} Turner was cited before ym, or y^{t} hee was ever heard to answer for himself. And y^{e} sd Robt. Turner, per, having been heard to make a full ans^{r} to y^{e} sd votes & resolves, & all his petions, applicaons & prooffs having been read, fullie heard, & y^{e} matter att Large opened & debated, & having made itt appear y^{t} y^{e} sd Arthur Cook on his death bed, told Gr. Jones y^{t} hee was willing to give satisfacon both to sd Jones & y^{e} per, in ass, & y^{e} sd Rot.Turner having openlie declared y^{t} tho' the words wer not spoken to him, yet they wer full satisfacon to him from y^{e} sd Arthur.

Therfore, it was the unanimous vote & Resolve of y^{e} Gor, Council & assemblie, N. C. y^{t} the sd votes & resolves, [proceeding upon a groundless & false foundation in matter of fact, ag^{t} y^{e} sd Rt.Turner,hee never having signed y^{e} sd wrt or wrtts, & not being heard in his owne defence, & not being made & past by a Quorum or Charteral number as aforesd,] & the sentence of y^{e} sd Rt. Turner, per, his being made incapable of bearing anie publick office or place of trust in this govrmt, following yron, as also y^{e} sd other vote & resolve, & sentence following yron, ag^{t} y^{e} sd per. Joseph ffisher, Be & are hereby vacated, declared void & null, & of no force nor effect, to all intents, constructions & purposes, as if y^{e} same had never been made nor past, so farr as concerns y^{e} sd Rt. Turner & Jos. Fisher, y^{e} pers rexivlie, & y^{t} a reference be made by y^{e} secrie in & from y^{e} sd ass's book of minutes, to y^{e} minutes of provincial Council held this day, of the vacating & making void & null y^{e} sd votes, resolves, & sentences past yron, so farr as Concerns y^{e} sd pers rexivlie, and y^{t} a Copie hereof be delivered to ym by y^{e} secrie, to be by ym keept for yr compurgaon & clearance in y^{e} sd matter, in all time hereafter comeing. Copie of y^{e} reference wttin y^{e} book of minutes of ass: followes, Viz:—PENNSILVANIA, 31st 3^{d} mo, 1700, vide y^{e} minutes of provincial Council & ass: of this date, qrin by an unanimous vote of both the vote & resolves of this ass: of 10th 3^{d} mo, 1689, & y^{e} sentences past yron ag^{t} R^{t} Turner & Joseph Fisher, yrin rexivlie named, are (for y^{e} reasons yrin menoned) vacated, declared void & null, & of no force nor effect, to all intents, constructions & purposes, as if the same had never been made, so farr as concerns y^{e} sd Rt Turner & Jos. fisher, rexivly, sign by ord^{r} of Gor, Council & assembly, by

PAT. ROBINSON, secry.

Joseph Growdon, Chairman of y^{e} grand Comittee of both Council & ass: appointed to Consider of certain laws proposed by y^{e} Go^{r}, Reported that they had read & partly considred y^{e} bills about regulaon of Courts, power of the Civil magistrate, Court Barron, Regulaon of Indians, Indian traders & negros, surveyors & y^{r} fees, & robbing of Orchards, & y^{t} it was the opinion of the whole Comittee y^{t} they saw no service in sd bills att this time, neither had they time to consider ym fullie.

Then the propr & Go^{r} Laid before the Council & assemblie the Consideraon of a Bill to be past for securing the people's properties, & another Bill of supplie to him as Go^{r}, who never yet these 20 years past, had had a farthing from them.

Adjourned to 1st June, 1700.

1st June, 1700.

Att a Council Held att philadelphia 1st June, 1700, die Sabbathi.

PRESENT:

WM. PENN, pror. & Go^{r}, et ysdem ut antea.

Upon the Request of some of the merts of philad to the Go^{r}, Council and ass, setting forth y^{t} there was this year more tobacco in the river than could be Carried home to England, for want of shipps, if the time of shipping of Tobacco in bulk was not protracted to a Longer day, The pror & Gor appointed some psons to draw up a bill prolonging sd time to the 1st July next; As also, another Bill obliging all vessells going to & from the sea, to call att Newcastle & make report there, und^{r} a certain penaltie.

Adjourned to 3^{d} June instant.

[3^{d} June, 1700.

Att a Council Held att philadelphia die Lunæ, 3^{d} June, 1700.

PRESENT:

WM. PENN, pror. & Governo^{r}, et ysdem ut antea.

The pror & Gor appointed some psons to draw up a Bill about the trying and punishing of negroes.

Rob^{t} French & ph. pemberton, from the ass, informed y^{e} Go^{r} & Council that the time of y^{r} ass: was almost outt, & y^{t} y^{e} ass: could not agree upon the precise time of y^{e} 15 days being outt; Wherupon y^{e} pror & Gor sent Jos. Growdon & John Hill, to informe ym that in strictness y^{e} 15 days are not expired (the first days not being in the number) till the sixt instant inclusive, & to desire ym to consider yrof, that the Gor & Council may not be straitned with time to do the publick bussines. They returning from the assemblie, made ans^{r} that they wold consider yrof.

After some time, two of y^{e} members of Ass: desired that y^{e} speaker & ass: might have a Conference with the Gor & Council about y^{e} time granted.

The members rexivlie appointed brought in a bill prolonging the time prohibiting the shipping tobacco in bulk; also, a Bill obliging all vessells going to & coming from y^{e} sea, to call att Newcastle & make report there, under a certain penaltie; as also, a Bill about trying & punishing of negroes.

Adjourned to 4th instant.

[4th June, 1700.

Att a Council held att philad. die Martis, 4th June, 1700.

PRESENT:

WM. PENN, pror. & Go^{r}, et ysdem ut antea.

The sd 3 Bills being read by y^{e} Secrie & amended, wer sent to the House of Repsentatives for yr assent, by Griffith Owen & Caleb pussey.

The pror & Gor acquainted y^{e} Council that he had perused and Considered y^{e} Charter by ym psented to him to be granted, and psented to ym y^{e} draught of such Charter as hee could grant ym, & appointed Jos. Growdon, Sam^{l} Carpenter, Rd. Halliwell & Jn^{o} Donaldson, a Comittee of y^{e} Council to join a Comittee of Ass, to puse & consider y^{e} same, & desired sd Hallwell to acquaint y^{e} ass: yrof.

Adjourned to 5th instant.

[5th June, 1700.

Att a Council Held att philad. die Mercury, 5th June, 1700

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Joseph Growdon, chairman of sd Comittee, made report yt they had considered of some amendmts of ye sd draught, wch hee gave ye pror for his perusal.

Caleb pussey, a member of, made a motion yt a Bill should be prepared about elections of repsentatives & yr fees, & a Bill about a freeman. The pror ordered ye sd Caleb pussey to prepare itt.

The pror & Gor ordered Griffith Owen to prepare a Bill about sicklie vessells coming into this governmt.

Joseph Growdon made a motion that 3d in the ll be raised for ye Gor's use. Hee ordered sd Growdon to prepare a Bill for that end.

Samll Carpenter made a motion yt a bill might be prepared for raising One pennie p ll & 6s. p poll, for defraying the publick debts of ye government. The pror & Gor ordered Saml Carpenter to draw itt up.

Griffith Owen made a motion that a Bill might be prepared for Laying an Impost upon wine, Rum, Cider, Liquors retailed, for ye prors. use & support. Hee ordered sd Owen to draw itt up.

Caleb pussey desired yt a Bill might be prepared to Continue & confirm ye Laws of this governmt. The pror appointed sd Caleb to draw itt up.

Adjourned to 6th instant.

6th June, 1700.

Att a Council Held att philad. die Jovis, 6th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Caleb pussey brought in the bill about elections, a freeman & representatives fees, & another Continuing & Confirming ye Law of this government.

Griffith Owen brought in the Bill about sicklie vessells, & another about Impost.

Saml Carpenter brought in the Bill for raising one pennie p ll. for defraying ye publick debts of the government.

The which 5 Bills, after some amendmts made yrin, wer sent to the house of repsentatives for their assent.

The pror & Gor recomended the Bills of 3d in the ll. and of Impost, to the Consideraon of ye Ass, & Samll Carpenter was sent wt ym.

Adjourned to 7th instant.

Att a Council Held att philad die Veneris, 7th June, 1700.

PRESENT:

WM. PENN, propr. and Governor.

Samll Carpenter,
Edwd. Shippen,
Giffith Owen,
Joseph Growdon,
William Biles,
Richd. Hough,
Jno Simcoke,
Caleb pussey,
Richd Hallwell,
Jno Donaldson,
Robt. French,
John Hill,
Tho. Fenwick,
Saml Preston.

The pror & Gor desired Wm. Biles & Caleb pussey to acquaint the assembly that hee & Council waited for ym; who returned they wold attend him.

The ass: appearing, The Speaker psented to ye Gor & Council eight bills wch had past yr house. The pror told ym Hee wold cause them to be read and Considered, And desired ym wt all speed to Consider of the Charter & the amendmts to be made yrin, & yt if they could agree among ymselves about the alteraons & amendmts they desired Hee wold for his part, be as condescending and easie as hee could.

After Reading of all the said 8 bills 3 times by ye secrie, they were by ye pror, Gor & Council, approved of & assented to.

The 1st, entituled, the Law of a freeman about elections and Repsentatives fees.

The 2d, The Law for granting an impost upon wines, Rum, beer, ale, &c, & goods imported, retailed & sold in this province & territories.

The 3d, The Law requiring all Mrs of Shipps & vessells to make report att the town of Newcastle, yt are or shall be bound to or from ye sea.

The 4th, The Law for prolonging the time prohibiting the shipping tobacco in Bulk.

The 5th, The Law about trying and punishing negroes.

The 6th, The Law about sicklie vessels coming into this government.

The 7th, The Law for raising one pennie p pound, and six Shills. p head, for paymt of ye publick debts of the governmt.

The 8th, The Law for confirming & continouing the Laws of this government.

Then the pror & Gor desired the Secrie to acquaint ye ass: yt hee waited for ym. The ass: appearing, the pror & Gor desired the Secrie to read over the sd eight bills, wch hee did, & ye pror & Gor did underwrite each bill in these words, viz: philad., 7th June, 1700. This bill being 3 times read was assented to by the Gor & Council, & yn yrto putt his hand & ye seal of ye province.

Then ye pror ask't ye ass: whether they had prepared any other Bills for his assent, Who answered no.

Then ye ass: brought in to ye Gor & Council the Chart hee had proposed to ym, wt amendmts, but after a Long debate, & nothing being like to be agreed upon by reason of ye opposion between ye upper & Lower Counties, about the number of members & repsentatives charges, & some other clauses yrof,

The pror & Gor, wt ye Consent of the Councill, putt itt to the vote whether they wold be governed by ye old Charter; caried in the negative.

Then hee putt it to ye vote qther, (since the Chart could not be agreed upon,) Hee should not reassume the govermt, as it was after the act of Union, & govern by his Lres pats. from king Charles ye 2d, & on ye foot of ye act of Union; Caried in the affirmative by ye members of Council & ass, except 4 or 5.

Therafter itt was by ye Gor & Council, & all the repsentatives in ass: unanimouslie voted, declared & assented to, yt all ye Laws past att Chester, & in ye petion of right, & all the Laws since made, as also ye Law for Confirming & Continuing ye Laws of this govrmt, made this ss of ass: shall stand, be & Continue in full force & virtue, as hath been Customarie, untill the rising of the next genral ass, & 20 days after, & no Longer, except such Laws, or pts of Laws, as are repealed, altered, or supplied by other Laws.

Therafter ye pror & Gor, upon the motion of a member of ass, promised yt the clause of ye Charter relating to proptie should continue as it was before.

Then Jno. Blunston, Speaker, in the behalf of the repsentatives of ye people in ass, & Wm. Biles, in the behalf of ye repsentatives of ye people in Council, for ye province, & Jno Hill & Wm. Rodney for ye territories, and in behalf of yr people & repsentatives in Council & ass, and by and with the unanimous Consent of all ye members both of Council & ass: present, took ye Charter, & delivred itt up to the pror & Gor, which hee accepted of att yr Hands and then said:

Friends, since you wer dissatisfied wt ye Chartr you had, & yt you could not agree among yorselves about a new one, I shall be easie in ruling you by the king's Lettrs pats. & act of Union, & shall in the ruleing of you, Consider my grant from the king & you that I am to rule, and shall from time to time endeavour to give you satisfacon. I advise you not to be easilie displeased One with another, be slow to anger & swift to charitie, so I wish you all well to yor homes.

The end of the eight ss. of Council & Assemblie.

MINUTES OF COUNCIL IN THE ASSEMBLIE, Anno Ri. Rs. Gulielmi terty.

[14th October, 1700.

Att a Council Held att Newcastle die Lunæ, 14th 8br, 1700.

PRESENT:

The Honble WILLIAM PENN, absolute proprietor of the province of pennsilvania & territories yrto belonging.

Humph. Morry, Thomas Storie, Caleb pussey, Joseph Growdon, Edwd Shippen & Griffith Owen, appearing, signified that having been of his Council, but now as by ye sheriffs of Bucks & philadelphia Counties yr returns will appear being chosen to serve in ass, desired a dismiss from ye Council. The Gor told ym yt for ye psent hee did dispense wt their attendance on Council, yt they might attend in ass, but yt therafter, & when the ass: was over, Hee expected yr return to yr service in Council.

Adjourned to 15th instant.

[15th Octobr, 1700.

Att a Council Held att Newcastle die Martis, 15th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Richd. Halliwell & Jasper Yeates being sent for by ye pror & Gor. wer solemnlie attested, took & subt. ye Qualificaon of Counsellors. & took place att ye board.

[16th Octobr, 1700.

Att a Council held att Newcastle die Mercury, 16th instant.

PRESENT:

WILLIAM PENN, propr & Governor.

Humph. Morrey, Caleb pussey, Jasp. Yeates.
Tho. Storie, Richd. Hallwell &

The pror & Gor desired ye secrie to see if the Assemblie wer readie, who returned yt they wold forthwith wait upon him, wch they accordinglie did.

The Sheriff of philadelphia Countie his return of repsentatives for ass: was produced, qrby wer elected Ed Shippen, Gr. Owen, Rould Ellis, Isaac Norris.

The Sheriff of Bucks his return was produced, qrby yr wer elected Joseph Growden, Richd. Hough, Saml Dark, Robt Heaton.

The Sheriff of Chester his return was produced, qrby y^r wer elected Joseph Baker, Sam^{ll} Levis, Natll. Newlin, Nicholas pyle.

The Sheriff of Newcastle his Return was produced, qrby y^r wer elected John Healie, John Grubb, Rob^t French, Tho. pierson.

The Sheriff of y^e Countie of kent his return was produced, qrby ther wer elected Jn^o Brinkloe, Richd. Wilson, Wm. Morton, Henrie Molleston.

The sheriff of Sussex his Return was produced, qrby ther wer elected John Hill, Tho. pemberton, Luke Watson, Jr. Tho. Fenwick.

Which psons so returned appearing, subt y^e qualificaon of repsentatives in ass. The pror & Gor desired ym to go together & choose y^r Speaker & psent him.

After some time, Joseph Growdon, accompanied by y^e whole house of repsentatives, appeared before y^e Gor & Council, & acquainted ym y^t they had chose him for yr speaker; who, after hee had disabled himself by repsenting his unfittness att such a time & for such work, yrfor desired to be excused, & y^t y^e Gor wold order y^e ass: to choose a more fitt pson. The Gor said y^t what y^e ass: had done pleased him. Then y^e sd Joseph Growdon desired y^t att all times they might have access to y^e Gor's pson, & a favourable construcon putt on y^r words, and freedom from arrests; wch y^e Governo^r granted; And yn said:

Friends, The calling you att this time was upon urgent occasions; you know wee want a frame of govrm^t & a bodie of Laws, wtout wch societie cannot subsist. I recomend to you the revisal of y^e Laws; what to Continue, what to repeal, what to alter, what to explain, & what new ones is requisit to make. Secondlie, I Recomend to you the settling of proptie. 3dlie, a supplie for support of governmt; and I recomend to you amitie & concord among yorselves.

Adjourned to 17th instant.

[17th August*, 1700.

Att a Council Held att N. castle die Jovis, 17th instant.

PRESENT:

WM. PENN, pror & Go^r, et ysdem ut antea.

The Gor & Council began with y^e Laws made att Chester, y^t by y^e Councill's previous examinaon, mending & altering yrin what they thought needfull, y^e ass's: work might be y^e more facilitated. H. Morrey had leave to go home.

Adjourned to 18th instant.

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*October.

18th October, 1700.

Att a Council Held att N. Castle die Veneris, 18th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Griffith Owen & Joseph Baker, from ye ass, desired yt the writt & return of repsentatives chosen for N. Castle Countie might be sent ym; wch was done.

The Gor & Council Contioned to revise ye Laws for ye dispatch of ye assembly.

Then ye speaker & repsentatives of ass: (upon a previous message to ye Gor,) appeared, & humble repsented to him & Council, yt upon reading a petion presented to ym by ye inhabitants of ye 3 lower 100ds of N. Castle Countie, & on examinaon yrof, yt they had no notice of sd election, & yrfor, in their house voted ye sd election void.

Wherupon, the Gor ordered ye secrie to issue a new writt, directed to ye sheriff of N. castle Countie, to sumon ye Inhabitants yrof to meet & make a new choice of 4 repsentatives for Assembly the 21st instant; wch hee did.

The Gor ordered ye secrie to attend the Comittee of ass: appointed to revise & prepare ye Laws, & to explain to ym the observaons & alteraons yt hee & Council had made yrin. Jasp. Yeates had leave to go home till 21st instant.

The pror & Gor recomended to Tho. Storie ye Consideraons of the Laws about Testates & Intestates estates, & to make report to-morrow morning. The Gor & Council proceeded in revising ye Laws.

Adjourned to 19th instant.

[19th October, 1700.

Att a Council Held att N. Castle die Sabbathi, 19th instant.

PRESENT:

WILLIAM PENN, propr. & Governor.

Caleb pussey, Richd Halwell, & Tho. Storie.

The Gor & Council Continued to proceed in the examinaon & revising ye Laws in Order to ye amendmts yrof, both in the fore & afternoon.

Adjourned to 22d instant.

22d October, 1700.

Att a Council held att N. Castle die Martis, 22d instant.

PRESENT:

WM. PENN, pror. & Go^{r}, et ysdem ut antea.

The Sheriff of y^{e} Countie of N. Castle his return of y^{e} late writt directed to him by y^{e} pror & Gor for choosing 4 repsentatives in y^{e} sd Countie for ass: was produced, yrby it appeared y^{t} ther wer elected Rich^{d} Hallwell, Jasp. Yeates, Rob^{t} French, Jn^{o} Healy.

Then sd Rich^{d} Halwell & Jasper Yeates appeared befor y^{e} Gor & Council, signifying y^{t} having been of his Council, but now as by y^{e} Sheriff of N. Castle his return appears being chosen to serve in ass, requested his dismiss from y^{e} Council. The Gor granted yr desire during y^{e} ss. of assemblie, but yrafter expected yr return to yr duty as Councellors to him.

Adjourned to 23^{d} instant.

[23^{d} October, 1700.

Att a Council Held att N. Castle die Mercury, 23^{d} instant.

PSENT:

WILLIAM PENN, propr. & Governo^{r}, Tho. Storie, Caleb pussey & Humphrie Morrey.

The Gor & Council proceeded in the examinaon & revising the Laws, and sent y^{e} Secrie to y^{e} ass: wt some Bills to ym, by them to be read & amended, if they saw cause.

Adjourned to 24th instant.

[24th October, 1700.

Att a Council held att N. Castle die Jovis, 24th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

The pror & Gor sent for ph. pemberton, Wm. Biles & Jn^{o} Blunston, who having been qualified to be of y^{e} Council, took yr places att y^{e} board.

The Gor & Council proceeded in the examining, revising & amending y^{e} Laws, & desired y^{e} Secrie to cary some bills to y^{e} ass: for yr concurrence.

POST MERID.

The Gor desired Tho. Storie to prepare a bill for y^{e} regulaon of Courts in y^{e} province & territories by to-morrow morning, and in y^{e}

meantime proceeded in examining, revising & amending ye Laws, by drawing ym up into new bills for ye ass's: Concurrence.

Adjourned to 25th instant.

[25th October, 1700.

Att a Council Held att N. Castle die Veneris, 25th instant.

PRESENT:

WILLIAM PENN, pror and Governor.

Caleb pussey, Humph. Morrey, phin. pemberton,
Thomas Story, Jno Blunston, William Biles.

Isaac Norris & Jno Hill, from ye ass, presented to the Gor some of ye Bills hee had sent ym, wt some amendmts, & twice by ym read, all wch being read & considred by ye Gor & Council, wer sent back to ye ass: for a 3d reading ; And in ye meantime, hee & Council proceeded in examining & revising ye Laws for ye ass's: further ease & dispatch.

Adjourned to 26th instant.

[26th Octobr, 1700.

Att a Council Held att N. Castle die Sabbathi, 26th instant.

PSENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Tho. Storie exhibited to ye Gor & Council a draught of a Bill for the regulaon of Courts of Justice ; wch was begun to be read & considered.

Edwd Shippen & Jno Healy psented some bills from ye ass, wch had been twice read by ym, to be considred of by ye Governor & Council.

Jasper Yeates & Isaac Norris, from the ass, desired a Conference with the Council ; which was granted. The Speaker & ass: appearing, psented to ye Gor & Council an address, requesting him to adjourn the ass: for some time, & that ph. pemberton, Griffith Jones, David Lloyd & Jno Moore, be imployed to peuse ye Laws now in force, in order to amend ym, & to draw up other Bills for ye several occasions, & desired his Concurrence. After reading yrof, ye Gor told ym yt after hee, Council & ass: had agreed on ye amendments & alteraons of ye Laws now in force, & what wer fitt to be continoued, ye assemblie might then make use of whom they pleased to word ym.

Adjourned to 28th instant.

28th October, 1700.

Att a Council Held att N. Castle die Lunæ, 28th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

The pror & Gor desired ye Secrie to read outt ye rest of the Bill for regulating Courts, wch hee did; & in ye afternoon it was again begun to be read over §. by §. & several addions & amendments wer made yrin.

Adjd. to 29th instant.

29th October, 1700.

Att a Council held att N. Castle die Martis, 29th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

The remaining parts of ye sd Bill for regulating Courts, both in the fore & afternoon, wer read, debated and amended.

Adjd. to 30th instant.

30th October, 1700.

Att a Council Held att N. Castle die Mercury, 30th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

The Gor desired the Secrie to Carry to ye ass: the Bill for regulating Courts of Justice, for their perusall, which hee did. Two members of ass: brought ye Gor & Council some more Bills by them twice read.

Adjourned to p. m.

Att wch time ye Gor & Council having pused ye remaining bills sent by ye ass, & by ym twice read, Ordered ye Secrie to return ym to ye ass: for yr 3d reading.

Adjourned to 31st instant.

31st Octobr, 1700.

Att a Council Held att N. Castle, die Jovis, 31st instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

The Gor & Council proceeded in reading, revising, altering & amending the Laws for ye more speedie dispatch of ye ass, & sent ym some other Bills.

Adjourned to 1st Novr.

1st Novembr, 1700.

Att a Council Held att N. Castle die Veneris, 1st Novr, 1700.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Two members from ye ass: brought some bills from ym yt had been twice read, for ye pusal of ye Gor & Council, wch wer accordinglie by ym read & returned to ye ass: for a third reading.

Adjourned to p. m.

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Att wch time Griffith Jones, in behalf of —— Richardson, son of John Richardson of ye Countie of kent, deced, brought in a draught of a bill for taking off the attainder of ye sd John Richardson, deced, and ye sd Griffith Jones Having been heard how hee could make good ye reasons of his request in sd bill contained, The Gor & Council, after perusal yrof, Comitted ye further perusal of ye same to Tho. Storie, & ordered him to report ye reasonableness yrof to-morrow.

Adjourned to 2d instant.

2d Novembr, 1700.

Att a Council Held att N. Castle die Sabbathi, 2d Nor, 1700.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Tho. Storie gave in to ye Gor & Council ye Bill for taking off ye attainder aforesaid, wt amendments, wch was read and debated.

Two members of ass: brought to ye Gor & Council some more Bills for their perusal, which wer by ym read and Considered.

Adjourned to p. m.

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Att wch time Gr. Owen & Jno Hill, from ye ass, brought to ye Gor & Council another bill, by ym twice read, for yr perusall. The Gor desired ye Secrie to carrie to ye ass: 3 bills more for ym to Consider of.

Adjd. to 4th instant.

4th Novembr, 1700.

Att a Council Held att N. Castle die Lunæ, 4th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Gr. Owen & Rd Halwell, from ye ass, acquainted ye Gor yt ye ass: desired a Conference wt him & Council about the act of Union, which ye pror granted to be held att 4 post merid. The Gor caused the Secrie to read some other Laws yt had been twice read by the assemblie.

Adjourned to 4 p. m.

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Att which time Joseph Growdon, Speaker, & repsentatives in ass, held a Conference with the Gor and Council, about ye act of Union, & that it was in force.

Adjourned to 5th instant.

[5th Novembr, 1700.

Att a Council held att N. Castle 5th Novembr, 1700.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Jasp. Yeates & Is. Norris, from ye ass, desired another Conference with ye Gor & Council about ye act of Union, wch hee granted. The Gor ordered ye Secrie to Carry all ye remaining Laws yt had been twice read by ye ass: to ym, wch hee did.

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Aftnoon ye Gor & Council proceeded to prepare some other bills to be caried to ye ass.

Adjourned to 6th instant.

[6th Novembr, 1700.

Att a Council Held att Newcastle 6th Novembr, 1700.

PRESENT:

The pror & Gor, et ysdem ut antea.

The pror & Gor sent by ye Secrie some other bills that had been twice read by the ass: for yr Concurrence. Edwd Shippen & Richd Hallwell, from ye ass, brought to ye Gor & Council 26 bills by ym thrice read, for yr assent.

POST MERIDIEM.

Two members of ass: brought from ym some more Bills that had been by ym thrice read, for ye Gor & Council's assent.

The pror & Gor ordered Robt Ashton & James Logan, to ingross ye Laws sent by ye ass, & by them trice read, in order to be past into Laws.

Adjourned to 7th instant.

[7th Novembr, 1700.

Att a Council Held att N. Castle die Jovis, 7th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Robt French & Gr. Owen brought to ye Gor & Council some more Bills past ye ass: thrice, for yr assent. ph. pemberton & Tho. Storie wer by ye pror & Gor sent to ye ass. wt some Laws yt had been brought to ym from ass: thrice read, with some amendments.

P. M. Two members brought from ye ass: some more Bills yt had been by ym thrice read, for ye Gor & Councill's Concurrence, wch wer read.

Adjourned to 8th instant.

[8th Novembr, 1700.

Att a Council Held att N. Castle die Veneris, 8th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Gr. Owen & Rt French, from ye ass, delivred a message To ye Gor & Council, desireing ye Law of Seven years Quiet possession to continoue as before.

The Gor desired ym to acquaint the ass: that hee desired a Conference wt them about that and some other Bills.

Adjourned to 9th instant.

[9th Novembr, 1700.

Att a Council Held att N. Castle die Sabbati, 9th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Jno Hill & Rt Heaton, from the ass, desired a Conference wt Gor & Councill about ye Bill of 7 years Quiet possession; wch hee granted. The Speaker & ass: appearing, & after Conference ye bill was returned to ye ass.

Ph. pemberton & Jno Blunston wer sent by ye Gor & Council to ye assemblie with 3 more bills, & to desire ym to dispatch. The Gor caused the Secrie to read ye Laws yt had been thrice read by ye ass; wch hee did.

Adjd. to p. m.

Att wch time Tho. Fenwich & Saml Dark brought some Bills from ye ass, by them thrice read, for ye Gor & Councill's Concurrence.

ph. pemberton & Tho. Storie wer by ye Gor sent to ye ass, to explain to ym some amendments they had made in some Bills yt ye ass: had sent to ym.

Adjourned to 11th instant.

11th Novembr, 1700.

Att a Council Held att N. Castle die Lunæ, 11th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem, except Wm. Biles.

Jno Hill & Jos. Baker brought some Bills from ass: for Gor & Councill's Concurrance, wch having been read, wer returned to ym for ye 3d reading. ph. pemberton & Tho. Storie wer sent by ye Gor to ye ass: wt some new Bills.

The pror & Gor sent ye Secrie to ye ass: wt the Bill about the post office, for yr Concurrence yrin, and sent 2 of ye Council to ye ass, desiring a Conference wt ym about certain Laws; which was granted.

Adjourned to 12th instant.

12th Novembr, 1700.

Att a Council Held att N. Castle die Martis, 12th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Saml Lewis & Tho. Fenwick brought some bills from ye ass: that had been thrice read by ym, for the Gor & Council's Concurrence.

Adjourned to 13th instant.

13th Novembr, 1700.

Att a Council Held att N. Castle die Mercury, 13th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

The Gor & Council proceeded to prepare some Laws to psent to the assembly, &c.

Adjourned to 14th instant.

14th Novembr, 1700.

Att a Council Held att N. Castle die Jovis, 14th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Jn° Blunston & Caleb pussey wer by ye Gor sent to ye ass: with some bills and amendments.

Adjourned to 15th instant.

15th Novembr, 1700.

Att a Council Held att Newcastle die Veneris, 15th instant.

PRESENT:

WM. PENN, pror & Gor. et ysdem ut antea.

Edwd. Shippen, Richd. Halwell, Jasp. Yeates, & Isaac Norris, brought two bills yt had been three times read, for ye Gor & Council's Concurrence, and delivered to the pror & Gor ye frame of govermt wt ye amendts yrof, for his pusall.

POST MERIDIEM.

Jn° Hill & John Healy brought some bills to yr Gor & Council that had been twice read by ye ass.

Adjourned to 16th instant.

16th Novembr, 1700.

Att a Council Held att N. Castle die Sabbathi, 16 instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Jn° Blunston, a member of this board, had leave from ye pror & Gor to go Home.

Adjourned to 18th instant.

18th Novembr, 1700.

Att a Council Held att Newcastle die Lunæ, 18th Novr, 1700.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Tho. Fenwick & Nicho. Newlin, brought from ye ass: foure Bills that had been three times read, for their Concurrence. The pror & Gor desired ye Secrie to Carry back to ye ass: ye bill about ye preservaon of his pson, wt some amendmts.

Jasper Yeates & Isaac Norris brought to ye pror & Gor ye Bill of propertie from ye ass; wch was read, & ye Consideraon yrof deferred to post meridiem.

Att wch time ye pror & Gor desired ye Secrie to read over ye bill of proptie; wch was done, and some part of it debated.

Adjourned to 19th instant.

19th Novembr, 1700.

Att a Council held att N. Castle die Martis, 19th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Foure members of ass: acquainted ye pror & Gor yt ye ass: could not agree about ye upper & Lower Counties proporons about ye bill of support of govermt; wheron ye pror & Gor desired a Conference wt ye ass: on yt affair; Which they accordingly had.

Adjourned to p. m.

Att wch time, Upon reading the petion of James Sandilands of Chester town, to the ——.

Adjourned to the 20th instant.

[20th Novr, 1700.

Att a Council held att Newcastle die Mercury, 20th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Tho. Fenwick & Nicho. Newlin, from ye ass, desired ye Gor to appoint a member of Council to meet with two members of ass, to compare ye Laws yt wer ingrossed; who accordinglie appointed Caleb pussey.

Adjourned to 21st instant.

[21st Novr. 1700.

Att a Council held att N. Castle die Jovis, 21st instant.

PRESENT:

WM. Penn, pror & Gor, et ysdem ut antea.

The Gor and Council did Consider some other branches & parts of ye Bill of proptie. and debated ye same.

Adjourned to 22d instant.

[22d Novr. 1700.

Att a Council Held att N. Castle die Veneris, 22d instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

THe pror & Gor did further Consider ye Bill of proptie & sent ye secrie to the ass. to desire a Conference wt ym about ye same ye 23d instant.

Adjourned to 23d instant.

[23d Novembr, 1700.

Att a Council Held att N. Castle die Sabbathi, 23d instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

The Ass: appeared, & the pror & Gor delivred to the Speaker in writting some objections agt some pts of ye Bill of proptie, for yr Consideracon, & after some answers made by the ass: yrto; The Speaker delivered to ye pror & Gor the Bill for raising monie for support of govrmt & depted to yr owne house.

The pror & Gor caused ye Secrie to read ye sd bill for support, &c., which he did, & after some amendments yrof the Gor desired Jno. Blunston to carrie it to ye assemblie for their Concurrence.

Adjourned to 25th instant.

[25th Novembr, 1700.

Att a Council Held att N. Castle die Lunae, 25th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut ante.

Two members from ye ass: related to ye Gor, some objections they had agt ye Bill of proptie, wch ye Gor satisfied ym in, & desired they wold acquaint ye ass: yt they wold make what haist they could to draw to an end by reason of ye hard season, and his indisposition of bodie.

Adjd to p. m.

Att wch time 2 members from ye ass: brought to ye Gor & Council the Bill of proptie, ye Bill for ye support of ye Govrmt, & a Bill for a Bridge over Chester Creek, thrice read, & desired his Concurrence yrin. The pror & Gor desired ye secrie to gett ye sd 3 Bills ingrossed, & yt they might, with the other Bills be Comped. by ye appointed members of Council & ass: in order to be past into laws.

Adjourned to 27th instant.

[27th Novr 1700.

Att a Council held att Newcastle die Mercury, 27th.

PRESENT:

WM. PENN, pror & Gov, et ysdem ut antea,

The pror & Gor sent ye secrie to the ass, desiring the Speaker & ye whole House of repsentatives to wait upon him in ordr to have ye Laws past.

Accordinglie they appeared, & ye pror & Gor caused ye Secrie to read the titles of all the Laws yt had been engrossed in number——— Contained in ———— sheets of paper, & askt ye member of Council, Caleb Pussey & ye members of ass: Jasp Yeates & Isaac Norris, whether they wer satisfied yt ye titles read wer the titles of ye Laws they had Comped, & that they wer trulie ingrossed, who answered yt they wer satisfied with both.

Wherupon, after ye pror had caused ye sd Laws to be signed by ye Speaker Joseph Growdon, in name & behalf of ye assemblie, & had Caused ye great seal to be appended to ye same—Hee openlie, in presence of ye Councill & assembly, declared the same to be the Laws of the province of Pennsilvania & the Territories yrto belonging, according to ye kings Letters patent, granted to Him undr ye great Seal of England. And did prorogue this Assembly to ye first of April next, but said hee wold not Call ym together till the eighth moneth came, twelve moneth without a Verie emergent occasion.

END OF VOL. I.

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